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NARRATIVE
OF THE
Proceedings of the Jews,
IN THEIR ATTEMPT
TO ESTABLISH THEIR RIGHT
TO THE
ELECTIVE FRANCHISE
IN
JAMAICA.

TO WHICH IS ADDED,
A CORRECT REPORT OF THE ACTION
BROUGHT BY
LEVI HYMAN, ESQ.
AGAINST
SAMUEL JOSEPH GEOGHEGAN, ESQ.
Returning Officer,
FOR REFUSING HIS VOTE.

IN A SERIES OF LETTERS,
FROM
A GENTLEMAN OF KINGSTON,
TO
HIS FRIEND OFF THE ISLAND.

BELFAST:

PRINTED BY A. MACKAY, JUN.
NEWS-LETTER OFFICE.

1823.

32-4576



TO
DANIEL MELHADO, ESQ.

AND

THE FRIENDS AND SUPPORTERS

OF

CIVIL AND RELIGIOUS LIBERTY

IN

JAMAICA,

WHO UNITED WITH HIM, AND BENEVOLENTLY ASSISTED

THEIR BRETHREN,

IN THE ATTEMPT TO ESTABLISH THEIR

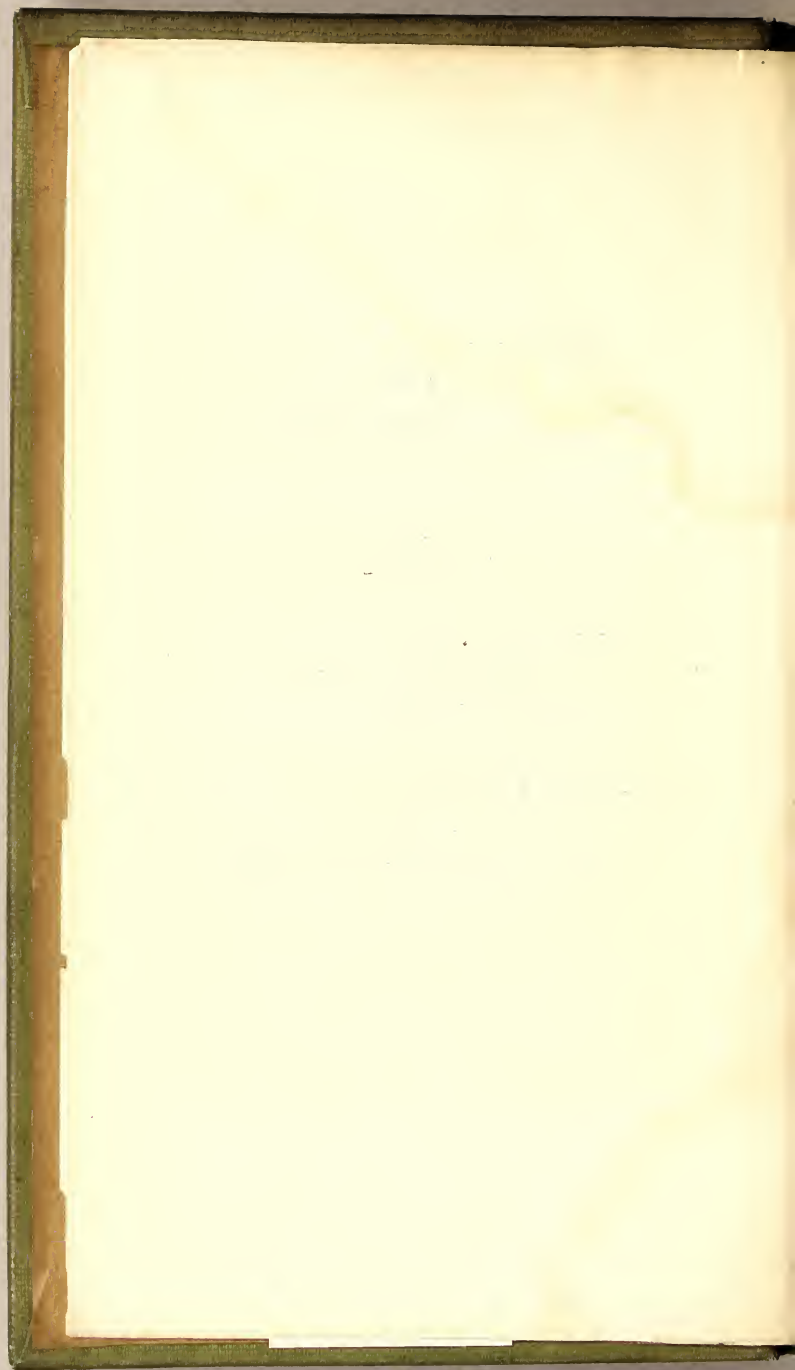
POLITICAL RIGHTS,

THESE PAGES ARE MOST RESPECTFULLY SUBMITTED,

BY THEIR

MOST OBEDIENT AND VERY HUMBLE SERVANT,

THE AUTHOR.



PREFACE.

IN the production now presented to the public, I have endeavoured to maintain a strict regard to truth; which I conceive to be an imperative duty on all who profess to give an account of any historical occurrence.

It contains a correct and impartial account of the proceedings of the Jews of this Island, for the establishment of their political rights; particularly of that which they regard as of the greatest importance to themselves, the right of Elective Franchise.

HAVING received my information from the best sources, I vouch for the correctness of my communications. The letters, when first composed, were not intended for public view, but merely for the gratification of a friend off the Island, and were written from time to time as the circumstances occurred; and it is by the advice of that friend and several Gentlemen of respectability to whom they have since been submitted, that I have been induced to publish them. They consider it an act

of justice due to the Jews, to acquaint the public with the nature of their demand.

It cannot be denied that some few of the Jewish persuasion have been unfriendly to the measures pursued. I have, however, refrained from making their names public, in the hope, that time and reflection will convince them of their error; and that all, instead of impeding, will unite to promote a cause so just.

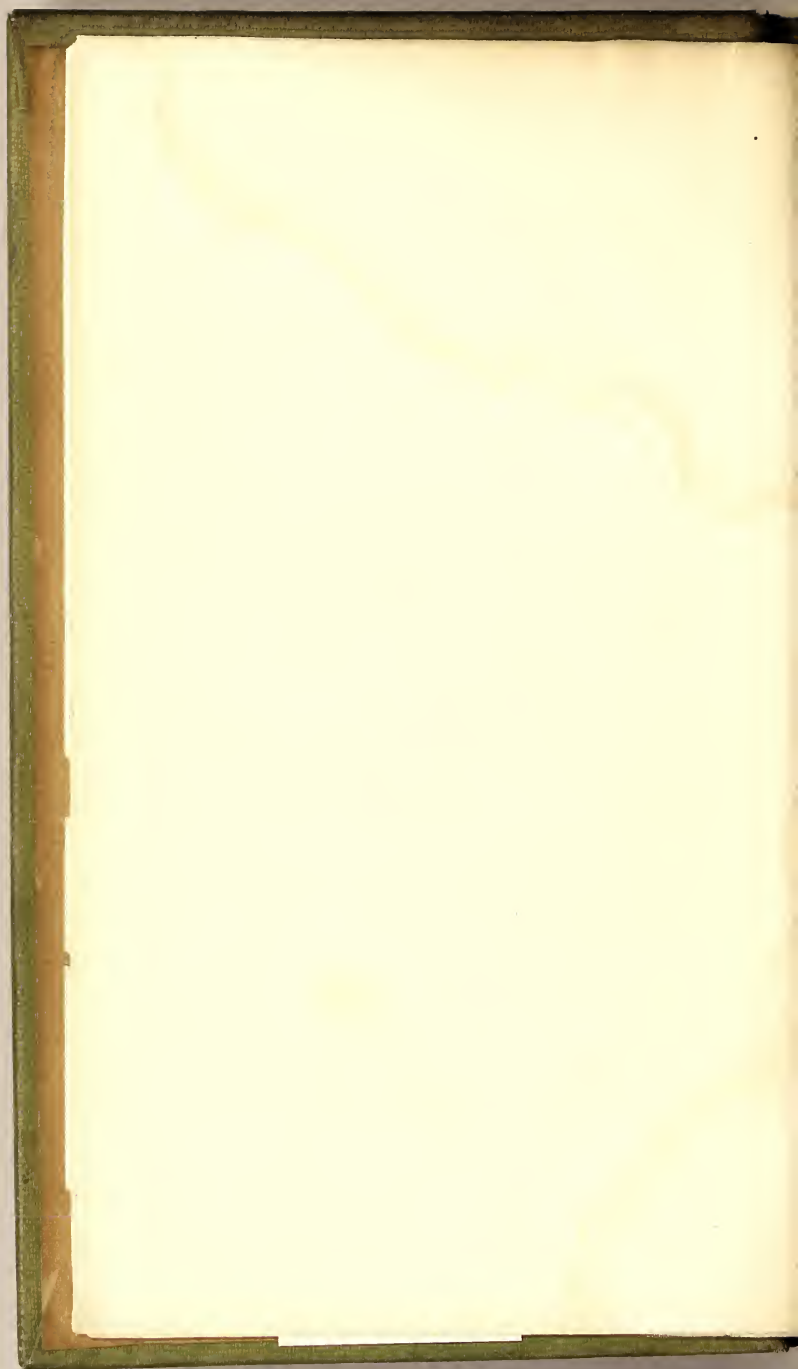
As I have no pretensions to literary abilities, I have not attempted to decorate these pages with long digressions, or flowery language. I have endeavoured to explain my meaning in the clearest manner, and if I have succeeded in that, I have attained my object.

I HAVE made the above confession, because I am aware that some of our critics are like hornets, "looking out for a hole in a man's jerkin, through which they may drive their stings:" and that probably, had I not acknowledged my want of literary talent, they would place it to the score of vanity and ignorance, and take the pains of writing me a lecture upon the subject; which trouble I now spare them.

It is difficult for a man to reconcile himself "to the shot which these literary gunners fire at a poor writer, from behind hedges." I am however convinced, if they were to put their signatures to their performances, the names would very frequently destroy the intended effects of the criticism.

I HOPE, should I be considered worthy of notice, to obtain a favourable opinion from the unprejudiced and impartial, as I have not deviated from truth, and have confessed my defects; and though my execution may be condemned, my motive may be approved.

WHATEVER, then, may be the defects of this performance, I trust that I shall meet with that leniency which every one has a right to expect, on presenting his first attempt to the critical eye of a just and generous public. I am therefore persuaded that a veil of candour will readily be afforded, to screen the imperfections with which it may be chargeable.



LETTER I.

Kingston, Jamaica, April 20th, 1820.

MY DEAR SIR,

Previously to your departure from Kingston, the expected dissolution of the Colonial Parliament took place, in consequence of the death of our late revered and beloved Sovereign, George the Third. You were also aware that Writs for a new Election were about to be issued, and of the report which stated that the Jews who were Freeholders would be called upon by one of their persuasion, to offer their suffrages on the day of election for this City. You then expressed yourself particularly anxious, (should that be the case,) to have an account, from time to time, of the proceedings which might be adopted by the Jews of this Island, in support of this claim; and as this circumstance has actually taken place, I shall endeavour to gratify your curiosity by transmitting you a full narrative of the circumstances as they occur, commencing with the first agitation of the question.

PREVIOUSLY to the year 1780, since which time their privileges have been greatly extended, their political situation was by no means comparable to that which they have since enjoyed. Many were not insensible to the evils and privations of their condition, but they always exhibited a great degree of alarm at the idea

of entering into a political contest. Timidity naturally attached itself to many of them, as their ideas had become enslaved for the want of a suitable education, and a sense of the value of independence. Since the melioration of their condition, they have been anxious to give their offspring the best education their circumstances can afford. Many have sent their children across the Atlantic, to receive the benefit of European instruction; and there are now several men among them, whose talents and respectability would do credit to any religion or country.

THE first thing that led to this important event, was a publication which appeared in the Kingston Chronicle, under the signature of PHILANTHROPOS.* This roused them from the habitual, and perhaps disgraceful apathy in which they had hitherto slumbered. As this paper was unquestionably the primary incentive that excited their desire of establishing their rights as Electors, I here insert it for your perusal.

“FOR THE KINGSTON CHRONICLE.

“THE Hebrew nation have suffered much from the superstition and tyranny of dark ages. In ancient times they were depressed by the most abject slavery; they suddenly broke their chains by the interposition of Divine Providence, and they were led by the God of the Universe through the “wide howling desert.” A code of laws was given to them, from which most nations, even at the present day, derive instruction. It has never been equalled, much less surpassed, by the code of any other nation, and it is founded on the principle of communicating to all equal advantages. They have however, been made the objects of persecution wherever chance or circumstances may have carried them; but as the film of super-

* This Essay was written by a Gentleman a native of Barbadoes, who deserves the thanks of the Hebrew nation, for his good intentions and zeal in their cause.

stitution is greatly removed from the eyes of mankind, so the hand of toleration has raised from oppression this once distinguished people.

“IN no part of the world do they enjoy greater immunities than in Great Britain and her dominions, and more so since the accession of the illustrious House of Brunswick. They are now placed in no mean rank in the graduated scale of society ;—they partake of several advantages ; and notwithstanding Jews cannot be Legislators, they have lately been allowed to be Freeholders, and consequently have become Electors.(1) They have always proved themselves to be firmly attached to the King and Constitution, and have ever evinced the best disposition towards the Government. The laws recognize them as good and dutiful subjects ; and as such they participate, with their fellow subjects, in the common feeling, that it is one of the most invaluable privileges of an Englishman to appoint Representatives to consent to the making of such laws as may be necessary or convenient. The freedom essential to the due exercise of this privilege can be maintained only by an extension of its benefits.

“‘ALL the inhabitants of every district,’ says that celebrated writer Montesquieu, ‘ought to have a right of voting at the election of a Representative, except such as are in so mean a condition as to be deemed to have no will of their own.’—In times far back, both Lycurgus and Solon agreed, that an interest was given to every Member of the State, who had a possession in the soil.—The approaching dissolution of our Colonial Parliament has given birth to this Essay, in order that the Jews of this Island may see the reason and expediency, that they should no longer view with supineness and apathy a question that they have suffered to remain dormant, and which is so important to themselves, as forming a great proportion of the people, and who have vast interests in the soil by their extensive landed and household possessions.

“THERE is no impediment nor hindrance to their being Electors ;—the Election Laws(2) offer none ;—the spirit of the law never intended any—as, in such a case, the letter would have marked it, as it

(1) The Author has been very respectably informed, that several Jews voted at the late Westminster Election.—Their votes were deemed good, and received by the Sheriff.

(2) Chapter 15, clause 7—21st of Geo. III, vol. 2, page 263.

has done in its last clause regarding the descendants of Negroes.— It was the opinion of a late eminent Barrister, that the Jews, duly qualified, are good Electors.

“To qualify Freeholders to vote, it is necessary that their titles be recorded in the Office of Enrollments twelve months, and three months in the Vestry Books of the parish where their Freehold lies, previous to their voting at an Election. What makes a Freeholder in this Island, is the being actually and rightfully possessed, either in fee simple, or fee tail, in right of marriage, or otherwise, of a Plantation of ten acres of land, or a Pen of eight acres, with a building, &c. of the yearly value of ten pounds, or of a House in either of the Towns of the same annual value.

“HAVING endeavoured to point out the road to the next election poll, it is hoped, that all Jews, who are Freeholders, will take time by the forelock, and record their freehold titles in their respective parishes. By so doing, their votes will, it is confidently presumed, be *bona fide* good, and ought therefore to be received by the Sheriff (1) To let slip this occasion, will exhibit a great proof of imbecility ; for all who are duly qualified will have it in their power to delegate such fellow citizens as they may think best calculated to promote the prosperity of the Island, and to augment, if possible, the interests of their parish.

“EVERY enlightened and impartial reader can view this letter in no other light than as intended to open the eyes of a portion of his Majesty’s subjects, whose loyalty and attachment bear the strictest scrutiny, to the value of one of the first privileges, which is held dear and sacred by every Englishman.— The author has no other motive ; and should any person reply to this essay, in any way inimical or in opposition, to their rights as Electors, he trusts that his pen will be guided by the language of impartiality, and that he will prove, *if in his power*, that their votes are illegal. “*Fides sit penes auctorem.*”

“PHILANTHROPOS.”

(1) The penalty imposed on the Sheriff for refusing a legal vote is £500, and 12 months imprisonment

YOU will perceive that it is written with a modest firmness. The author refers to the Election Laws, and states that by those laws the Elective Franchise is exclusively the right of *Freeholders*, and that there is no disqualification of the Jews; and urges them to vigilance and unanimity in the measure.

EVERY reasonable man would imagine that they *all* with one voice would have exerted themselves to promote this momentous question; but alas! the consequences of ignorance and timidity began to appear in many of their uncultivated understandings; yet although a coalition of *a few of these very enlightened persons* was formed, for disseminating their idle and hypothetical opinions, (that no doubt injured the cause with those who imbibed their weak sophistry,) still the majority of the nation, possessing better discrimination, perceived and asserted as men of independence, their indisputable right to equal privileges with the other Freeholders of the Island.

It is expected they will adopt wise and salutary measures in the commencement of their proceedings; and from the known independence of character of those Gentlemen, who it is said will be delegated to conduct the cause, I think there will not be wanting any exertion on their part, to obtain success. The proceedings may in a short time attract a considerable share of public attention.

IN my next, I shall inform you of all the facts that transpire relative to this subject,

I am, my Dear Sir,

Your most respectful and
Obedient Servant.

LETTER II.

Kingston, Jamaica, May 16th, 1820.

MY DEAR SIR,

IN continuing the account of the proceedings of the Jews, it is necessary that I should refer you to the Election Laws of the Island, as they will contribute greatly to your understanding this matter properly, and as I shall be frequently obliged to recur to them. After an attentive and unprejudiced perusal of those laws, you will be satisfied, that the most partial reader cannot discover any thing in them that can operate to the disadvantage of the Jews. "PHILANTHROPOS" acted wisely in adverting to those laws, since by this means the attention of his brother Freeholders was called to them. I am satisfied that the law gives the privilege of voting to *all Freeholders*, and that Jews in common with Protestants and Catholics, have the privilege of returning Members to the Honourable House of Assembly. Many who had hitherto neglected to place their freehold titles on their respective parochial records, have now done so, in order to qualify themselves to vote at the ensuing Election. These, however, will be short of time, as the Election for this City and Parish is fixed for the 5th July next. I do not think there are more than ten or twelve Jews who are regularly qualified to vote on that day. So supine have these people been, in

taking any concern in political affairs, that they have only recorded their titles in the Office of Enrollments, and have neglected to place them in the parish books ;— a form which is necessary to make them legally qualified freeholders.*

THE great difficulty will be, to find *one* among those who are qualified, courageous and determined enough to appear at the hustings to tender his vote.

To persons who are unacquainted with their character, it certainly will appear strange, that a degree of courage and determination should be necessary to impel men to do that which is advantageous to their interests, and which most certainly would advance them in the political society of the country ; but to you who are acquainted with the apathy and timidity of their dispositions, and know that it would require the powers of the ablest logician to rouse their torpid feelings, their conduct will not appear so unaccountable as it will to others. Yet I cannot but wonder that they have suffered time to roll over their heads, without one attempt since 1750, to improve their condition.

ON the 13th of this month a writer in the Royal Gazette presented himself to public notice, under the signature of "VETUS." His letter is as follows :

"THE POLITICAL RIGHTS OF THE JEWS.

"FOR THE ROYAL GAZETTE.

"MR. EDITOR, There appears to be much difference of opinion respecting the political rights of the Hebrew nation. Some men

* Vide Election Laws.

contending that the people called Jews have a right to vote for Representatives in the Legislative Body of this Island, while others maintain that they have no such right; and, as many intelligent men imagine that the claim now set up is *novel* and unprecedented, it may not be amiss to point out the error of such opinions, nor unacceptable to your readers to notice past proceedings upon the subject. It is not, Sir, my *present* intention, to discuss the abstract question of right, nor to offer any arguments either for or against the sons of Israel—my object being simply to present your readers with a description of former proceedings upon this question; and, with that view, I transmit herewith for insertion in the Royal Gazette the accompanying abstracts from the Journals of the House of Assembly. This important question was brought before the House by a Petition from one of the Hebrew nation.

‘*Jovis, 4^o die Octobris* ;

‘*Anno 24^o Georgii IIdi Regis, 1750.*

‘A Petition of Abraham Sanches was presented to the House, and read, thereby setting forth,

‘THAT, at the election of a representative to serve in this present Assembly, for the Parish of St. John, in the room of the Honourable John Palimer, esquire, called up to the council, the petitioner (having a considerable freehold in the said parish) apprehended he had a right to give his vote, and accordingly offered to poll for William Gordon, esquire, one of the candidates for the said parish, but was refused so to do by the returning officer, although the petitioner offered and insisted on taking the oath required to be taken by the Freeholders, by an act of the governor, council, and assembly of this island, made for that purpose.

‘THAT the petitioner, by his Majesty’s most gracious letters patent under the broad seal of this island, bearing date the 25th day of May, 1742, in the fifteenth year of his said Majesty’s reign, was duly naturalized, and has taken the usual oaths, and therefore humbly apprehends that he is entitled to all the rights and privileges of the rest of his Majesty’s liege subjects.

‘THE petitioner therefore most humbly prays, that the house will inquire into the truth of the allegations of his petition, and grant him such relief in the premises as to the house shall seem meet.’

‘IT was then resolved, that such petition should be taken into consideration on the 17th of the same month. In the mean time three petitions were presented from the Christian inhabitants of Kingston, St. Andrew’s, and St. Catherine’s, against the claim of the said Sanches, and one from Daniel Almeyda, and several others

of the Jewish Nation, in favour of it. The Petitions against the claim partake largely of the leaven of old prejudices, betraying sentiments worthy of the time of the Crusades, and of the *holy zeal* of the Inquisition! Happily, however, the age of prejudice and persecution has given place to the doctrine of Civil and Religious Liberty; and therefore, the severity of remark, descending to violent abuse, with which the Kingston Petition of 1750 is so replete, can only be viewed as a monument of bigotry, animosity, and superstition, raging in the heated imaginations of the Petitioners. The Petition from Kingston stated—That the said Abraham Sanches, being a *Jew*, could neither take the Freeholder's oath *on the Holy Evangelists*, nor give a Vote to return a Representative to sit in a Christian Assembly: That, although there was a saving in the law for the people called Quakers to vote on their solemn affirmation, yet there was none for the Jews to swear on the five Books of Moses(1):—That the Jews were a transient people, so *abhorred* for their behaviour, that they had not been able to obtain a share in the Legislature of any country upon earth since they renounced their right of government to *Pontius Pilate*, in order to destroy, and put to death Jesus Christ: That the *inveterate malice* of the Jews to Christians had been notoriously recorded for *one thousand seven hundred and forty years* (of course there was no malice of the Christians to the Jews in the parish of Kingston at that period): That from the time of William the Conqueror to the 18th Edward I. the Jews were as absolutely the property of the King, as the Africans are of the planters of this island—notwithstanding which, for their *horrid villanies*, mercy on us! they were, in that reign, expelled the realm: That if the Jews were admitted into the Legislature of this island, either by holding offices or *voting at elections*, the Christians must inevitably be *ruined* in those things they hold most dear, *viz. their religion, liberty, lives, and property!* That the Petitioners were informed that the Jews, standing in need of many indulgencies not allowable in the law, usually waited on the Chief Magistrates on their arrival, in order to make some *considerable present!* So that admitting the Jews to vote at elections would throw such a weight into the scale of power in the hands of a Chief Ma-

(1) An idea was once entertained that the Jews did not place any value upon an oath taken in a Christian Court. The High Priest of the Jews not long since refuted that absurdity.

gistrate, that the Christians would never be able to counterbalance it, and that they would thereby be compelled to sit like cyphers, and see themselves outvoted by the Jews.—The Petitioners, not content with this precious philippic, indulged themselves in their fervour with still stronger language, which, in the present day, will be read with astonishment. The Jews, they observed, had in all countries been addicted to creating *broils, affrays, quarrels*, and even *massacres* ! That for their *outrages, villanies, and barbarities*, they had been driven out of all the kingdoms in the world, hunted as vermin and destructive wild beasts, and pests of mankind ! Gracious Heaven ! What next ? That admitting the Jews to vote at elections would not only prevent white Christians from coming to settle in this island, but prove the destruction of those already settled in it—that Christianity would be brought into contempt, and that the Christian people would be forced to seek shelter elsewhere from the too powerful professed enemies of Jesus Christ ! To this mass of abuse the Jews, in a temperate and able manner, replied in the following petition in support of their rights :—

‘ Martis, 16^o die Octobris ;

‘ Anno 24^o Georgii IIdi Regis, 1750.

‘ A PETITION of Daniel Almeyda, and several others of the Jewish nation, was presented to the house, and read, thereby setting forth,

‘ THAT the petitioners being informed, that a petition has been presented to this honourable house, by one Abraham Sanches, of the Jewish nation, setting forth, that he was rejected as a freeholder, at a late poll for election of a representative for the parish of St. John, and that the same is now under the consideration of this honourable house :

‘ THAT the petitioners being also informed, that three several petitions from the parishes of Kingston, St. Andrew, and St. Catherine have been presented, and received by this honourable house, setting forth, among other things, that the said Abraham Sanches, being one of the Jewish nation, could neither take the oath prescribed to be taken by a freeholder, nor give a vote for the choice of a representative for this honourable house, at said election ; and two of the said petitions containing many harsh reflections on the whole body of the Jews, which the petitioners humbly hope will appear to be groundless, and the effect of blind prejudice, as the petitioners and Jewish nation are well known to profess no opinions destructive of civil society, or prejudicial to the constitution and laws of their country, and have ever manifested an unalterable at-

tachment to the present happy establishment, under a Protestant and most gracious Prince, and shewn a dutiful obedience to every act of government :

‘ Most true it is, that our ancestors have bled under the rage of cruel and persecuting tyrants, and were treated with scorn and indignation in the darker ages of the world, when idolatry and superstition reigned ; but, in these happier times, when the rights of mankind are better understood, and the laws of humanity more opened, many of the Jewish nation have found protection and favour from even Catholic Princes, and little expected such indecent reproaches from their fellow-subjects, living in a free and Protestant government, admired for its charity in religious matters, for its lenity, and the justice and equality of its laws :

‘ THAT the petitioners further crave leave to observe to this honourable house, that the said Abraham Sanches’s offering to vote at the said election, and his offering his said petition to this honourable house, was without the knowledge, privity, or participation of the petitioners ; but, being informed, and apprehending, that the same might, in the event, affect their rights and franchises as liege subjects, they did take the necessary measures in support of their right of voting, which the petitioners conceive they are well entitled to, and did not suspect the same would have been contested ; as the petitioners have been applied to at several elections for their votes, and which the petitioners declined, being satisfied with the tranquillity they enjoy under the government, and being unwilling to inflame the jealousy, and incur the displeasure, of their fellow-subjects :

‘ THAT the petitioners apprehend, under several laws of this island, and under some acts of parliament of our mother country, in particular the act of parliament passed in *anno Domini* 1740 (to which act the petitioners humbly beg leave to refer), they have a right to all the privileges and advantages of the rest of his Majesty’s natural born subjects, and consequently, as they apprehend, have a right to vote at elections, if they should think fit :

‘ UPON the whole, the petitioners beg leave to assure this honourable house, that their present application does not flow from a forwardness to vote at elections, but to assert that darling privilege, which the petitioners apprehend they have a right to in common with all the rest of his Majesty’s subjects that have freeholds, and therefore the petitioners submit themselves to this honourable house.

‘ AND the petitioners humbly pray, that they may be heard, by themselves, or their counsel, in support of their rights, as natural born subjects and freeholders of this island.’

“ ON the following day the question was disposed of.

' *Mercurii, 17^o die Octobris;*

' *Anno 24^o Georgii II^{di} Regis, 1750.*

' THE house, according to order, resolved itself into a committee of the whole house on the petition of Abraham Sanches; and, after some time spent therein, Mr. Speaker resumed the chair, and Mr. Morse, from the committee, reported, that they had gone through the same, and had come to several resolutions, which they had directed him to report to the house, when the house would be pleased to receive the same:

' *Ordered*, That the said report be now made:

' THEN Mr. Morse, in his place, read the same, and afterwards delivered them in at the table; where the same, being read a second time by the clerk, are as follow:

' *Resolved*, That it appears to this committee, that Abraham Sanches, the petitioner, is one of the people called Jews.

' *Resolved*, That the people called Jews, although seized of freeholds, have no right by law to give their votes at elections for choosing representatives to sit in assembly.

' *Resolved*, That the said people called Jews have no right by law to exercise any part of the legislative or judicial authority of this island, or to have any share in the administration of the government thereof.

' *Resolved*, That it would be of the most dangerous consequence to the religion and constitution of this island, to admit the people called Jews, to exercise any part of the legislative or judicial authority of this island, or to have any share in the administration of the government thereof.

' *Resolved*, That no person of the people called Jews do presume to give his vote at, or to intermeddle in, any election of representatives to sit in the assembly of this island.

' *Resolved*, That the provost-marshal-general of this island, or any of his deputies, do not presume to admit to poll, at any election for choosing representatives to sit in the assembly of this island, any of the people called Jews.

' *Resolved*, That the committee of correspondency be ordered forthwith to write to the agent for this island, in Great Britain, to make all the opposition in his power, to any application that may be made to his Majesty, or the British Parliament, by the people called Jews, for to be admitted to the exercising any part of the legislative or judicial authority or the having any share in the administration of the government of this island.

' To which said several resolutions the house agreed.

' *Resolved*, That the foregoing resolutions be forthwith printed in the Jamaica Courant; and also separately; and that six copies of the same, so printed, be delivered to each of the members of this house.

' *Ordered*, That the provost-marshal-general be served with a copy thereof.

"THESE Resolutions are now stated to have settled the business ; but as many of your readers incline to think differently, the question is likely shortly to undergo fresh discussion ; and, as we live in more enlightened times, there can be no doubt that the Jews will be indulged with an impartial hearing, and not again be overwhelmed with such torrents of abuse as were poured out upon them on the last occasion of claiming their rights as men and as citizens.

"VETUS."

Kingston, May 13, 1820.

THIS Publication is evidently written by a friend to the Jews ; his intention is to shew in what light they were regarded on a former occasion, when they made the application as men and citizens in the year 1750 to the Assembly, and to state the circumstances under which that application was rejected by that Honourable House, which passed several resolutions, disqualifying them from voting. These resolutions, however, were rendered nugatory and obsolete, by the statute law of 1780, made expressly to regulate the Elections throughout the Island. The resolutions never have been renewed by any Assembly since the passing of the late Election laws, which do not deprive the Jews of their right to vote.

I MUST in candour inform you, that this publication of "VETUS" has produced a great degree of irritation, in the minds of many who do not perfectly understand him—in their usual timid cant, they exclaim, "Why rip up old grievances?"—"Why put the public in recollection of what passed to our disadvantage in the year 1750?"—"He has done us more harm than benefit."—"He is not aware," say they, "of the injury that may result from it, and we may again be treated with the contumely and ill language already experi-

enced."—I am of a very different opinion from those persons, and think that the publication does the cause much service. In this enlightened age, there is not a man who professes himself a Christian, that does not abhor the uncharitable and detestable conduct of the Kingston, St. Catherine, and St. Andrew's petitioners of 1750, for thus ill-treating their fellow-men and citizens, for no other cause, but demanding a right—that they considered due to them in common justice, as well as to the other Freeholders of the Island,—and "VETUS" has very properly reprobated their malignant conduct. I am impressed with a full conviction that, *in this era*, the authorities of this country will listen with the ears of unprejudiced impartiality, and grant the strictest justice to any appeal the Jews may make to obtain the right for which they are now recommended to strive resolutely.

THEY have the support of the strong pillar of the law ; on it they rely.

I am, my dear Sir,

Your respectful humble Servant.

LETTER III.

Kingston, Jamaica, June 1st, 1820.

MY DEAR SIR,

FROM the wrong construction which many of the Hebrew Nation placed on the intention of "VETUS," their feelings have been much distressed; their attention has been again called to the subject by the publication of an Essay on the 16th May in the daily paper, signed "CANDIDUS."

THE POLITICAL RIGHTS OF THE JEWS FOR VOT-
ING AT ELECTIONS.

"Atque ipsa utilitas justi prope mater et æqui."

"TO THE EDITOR OF THE KINGSTON CHRONICLE.

"SIR,

"MANY thanks are certainly due to "VETUS," for the trouble and research which he has taken in laying before the Public, in last Saturday's Gazette, the interesting question, whether the Jews are qualified or not, to vote, as Freeholders, for Candidates to represent the different Towns and Parishes of the Island in the Hon. House of Assembly. Without entering into a long discussion upon the question, I take the liberty most humbly to quote from the *Statute Laws of the Country* the following, which I request your publishing, and call upon the public in general for their calm and patient attention thereto:

' 30th December, 1780.

' *Anno Vicesimo Primo Georgii III.*

' QUALIFICATIONS OF VOTERS.

' VII. *And be it further enacted by the authority aforesaid,* That no person whatsoever shall be admitted to vote at any election for any person to serve in the assemblies of this island, unless his freehold consists of a house erected and built, and in the actual possession of such freeholder, by title recorded in the office of enrolments of this island for twelve calendar months next before the day of such election, of the true and real value of ten pounds *per annum*, or a pen, consisting of at least ten acres of land, which hath a house thereon erected and built, and which said pen hath been open and in pasture, and in the actual possession of such freeholder, by title recorded in the office of enrolments of this island for twelve calendar months next before such election, yielding him really and *bona fide* the true value of ten pounds *per annum*, or a plantation, with at least eight acres of land planted, with buildings thereon erected and built, in the actual possession of such freeholder, by title recorded in the office of enrolments for twelve calendar months next before such election, planted and kept up as a plantation for the said term, and yielding him really and *bona fide*, without fraud or collusion, the true value of ten pounds *per annum*, with negro or other slaves thereon of his or their own property, that have been, or liable to be taxed for the term aforesaid; or that his freehold consists of a rent charge, or annual sum of the real and true value of fifty pounds *per annum*, arising, issuing, and payable, out of the messuages, lands, or tenements, on which said messuages, lands, or tenements, there have been, and are, negroes or stock liable to be taxed for twelve calendar months before the election, and that every such freehold shall have been entered in a book, provided or to be provided by the clerk of the vestry of every such parish in this island, where such freeholder shall give his vote, for the space of three calendar months next before the election, in the name of every such freeholder, or in the name of them under whom, by decent, devise, or marriage, such freehold is claimed, and hath been subject and liable to be taxed by the justices and vestrymen of such parish for twelve calendar months at least, any law, custom, or usage, to the contrary, notwithstanding; except where such freeholders votes on a rent-charge or annual sum, as aforesaid, then and in such case, it shall be sufficient that the messuage, lands, or tenements, out of which the rent-charge or annual sum arises, have paid, or were liable to pay, taxes for twelve calendar months as aforesaid.'

‘ 30th December, 1780.

‘ *Anno Vicessimo Primo Georgii III.*

‘ If Marshal refuses good votes or accepts bad ones, he is to be imprisoned twelve months, and fined £500.

‘ XVIII. *And be it further enacted by the authority aforesaid,* That the provost-marshal of this island, or his lawful deputy, as aforesaid, refusing to admit any person to vote whose freehold is entered in the vestry book, as aforesaid, or permitting any person to vote whose freehold is not entered in the vestry book, as aforesaid, according to the true intent and meaning of this act, to poll at any election for a member or members to serve in the assembly of this island, the said provost-marshal, or his lawful deputy, so offending, shall, for every such offence, suffer twelve months imprisonment, and forfeit the sum of five hundred pounds; one moiety of which to our sovereign lord the king, his heirs and successors, for and towards the support of the government of this island, and the contingent charges thereof, and the other moiety to him or them who shall sue for the same; to be recovered in the supreme court of judicature of this island, by action of debt, bill, plaint, or information, wherein no essoin, wager of law, or injunction, or *non vult ulterius prosequi*, shall be granted or allowed; any law, custom, or usage to the contrary notwithstanding.

“WITH humble submission, Sir, to a generous and reflecting public, I present these quotations from the existing and sacred “*Lex Scripta*” of the Island, more authoritative and binding than the record of the Journal of the Legislative Body in the year 1750. To the generous and thinking mind the reflection is admirable and sublime! In the present instance, we positively find what a steady, slow, *but sure march, the sun-shine of reason has made upon the human intellect!* The Legislative Body of 1780 *did not pass into law* those unjust and unfounded reflections upon the Jews, which the Assembly of the island recorded in their Journals in the year 1750! In charity, in the true spirit of that loving kindness which we all ought to shew to human beings, let us bury in everlasting oblivion all those violent remarks, which religious prejudice, that deadly poison of the mind, has produced, *destroying the brotherhood of nature for our fellow men!* Little need now be said upon the question, in what manner our fellow subjects, the Jews, ought to proceed upon the expected general election. The

community is presented with every thing relative to the subject, and the sequel, upon the Jews asserting their rights as men and citizens, will proclaim to the world *if education and reason* in our age have overcome superstition; and if the *Christian*, whose divine religion strongly inculcates universal benevolence, and *universal right of conscience*, has vanquished the *Bigot*.

"CANDIDUS."

"Kingston, May 15, 1820."

To the writer's sentiments every impartial man will cordially subscribe. He labours to infuse a spirit equal to his own, into those whose cause he advocates, by quoting the statute laws of the country, in support of his argument. You are already in possession of the laws from which he has made extracts, but I have thought proper to forward the essay as it stands—in order that you may have the whole of the publications as they appeared here, to enable you to judge what may probably be the result. The Jews begin to feel their consequence in society, particularly as their cause does not appear to want supporters—and indeed, if I may be allowed to judge—they are likely to succeed.

THE day following another writer, under the appellation of "JUSTICE," attempted to allay the irritated feelings of the Jews, and to inspire them with confidence.

"FOR THE CHRONICLE.

"Happily for mankind we have a Being for our God, who will reward the virtuous man, and listen to his prayers, in whatever language they may be preferred, be his *Religion* or his country what it may."

"It is impossible to define the feelings of wonder and surprise with which I read the extracts in last week's *Gazette*, given by that most judicious and impartial writer, "VETUS," from the

proceedings of the Journals of the Assembly of 1750 ; nor can I help viewing with sentiments of horror, the bigotry, superstition, and prejudice of the inhabitants of Kingston in those days. Happily for mankind those times are gone by, and in this enlightened age all men unite in considering each other as brethren. Without deserving the imputation of flattery from my fellow-citizens, I may safely declare, that I do not think there is one among them at present who would not refuse, with scorn and indignation, to sign such an intolerant, prejudiced, and unjust petition as that of 1750. That prejudice and injustice acted upon the minds of the petitioners of that day, no one who has read the petition can doubt ; but that the same feelings should have had an effect on the House of Assembly, is a matter of astonishment, supposing that it was then, as it is now, composed of the most learned and enlightened men in the Island. At this distance of time I may, with some propriety, suppose this could not have been the case ; for, if the petitioners were intolerant and unjust, the resolutions of the Assembly of 1750 were still more so. But these resolutions of 1750 do by no means set this question at rest ; for if my information be right, or my knowledge of the law correct, a resolution of House of the Assembly is in force no longer than the Session ; consequently, I can still positively assert, that there is no *law* against a Jew voting for a representative to sit in the Assembly, nor is there any disqualification against them, more than what may be against every non-conformist to the Church of England. Every one knows that a resolution is not a law. To make a law it requires the consent of the *three branches* of the legislature. A resolution is merely the determination of any body of men, which holds good only during the sittings of that body. With "*VERUS*," I think this matter will undergo a fresh discussion, and shortly be set at rest. I would recommend that nothing should deter the Jews (who have their freeholds recorded according to law) from offering their votes at the hustings on the day of election. By trying the question they have every thing to gain and nothing to lose. They have always behaved with loyalty to their King, and love to their country, and may fearlessly demand what they have a right to expect, in common with all his Majesty's natural born subjects—the darling privilege of elective franchise.

"JUSTICE."

WITH manly dignity and propriety, he expresses himself against the intolerance of the Christians towards the Jews in 1750, and with the justice he professes pays the highest tribute to the Christian inhabitants of the present day.

HIS severe remarks on the Assembly of 1750 are founded on truth. That body cannot surely be called *enlightened*, if by that term we designate men of reading and thought; possessed of sound information, who take large views of things:—who feel liberally towards men of opposite sentiments, and who are attached to the general cause of human happiness.—Viewed in this light, the Assembly of 1750 were any thing but enlightened. You will attend to the remark respecting the difference between a RESOLUTION and an actual LAW, as well as his conclusion recommending the Jews to pursue the measure.

HITHERTO the writings in the public papers have been highly in favour of them, but they are doomed to experience opposition;—for on the 21st of last month, the resolutions of the Assembly of 1750 again appeared in the St. Jago Gazette, with the following invidious remarks by the Editor of that paper, which were copied in the Kingston Chronicle of the 22d.

“WE have inserted the letter of “Philanthropos,” and the St. Jago Gazette, in inserting some resolutions of the House of Assembly of 1750 on the same subject, observes—

“PUBLIC curiosity having been raised, by some anonymous letters which have appeared in the Kingston Papers, as to the claim or right of freeholders of the Jewish nation, to vote for representatives in Assembly, we have thought it our duty to lay before our

readers, in our first sheet, certain proceedings, at length, which took place in the House of Assembly on another occasion when this question was agitated, and we think the resolutions of the House at that period ought to have set the matter at rest. No one more heartily condemns the intemperate, illiberal and unchristianlike terms made use of towards the Jews in the different petitions from Kingston, St. Catherine, and St. Andrew, than we do ; but such are not made use of in the resolutions of the House, which, with becoming dignity and moderation, only assert and support those principles which are interwoven in our constitution. In the face of these resolutions, now in force as the day they were agreed to, we conceive that any deputy-marshal who received such votes would not only incur the penalties of the law, but be guilty of a breach of the privilege of the House. In addition to this, the long established practice and custom of the land cannot be broken into but by law, and no man is eligible to vote at an election, who is not equally so to be elected himself.

“WE have great respect for many of the Jewish nation in this island, and know among them as worthy and good characters as are to be found among any class of men ; but they may rely that any attempt to encroach on long established custom in so important a matter as that of voting for representatives in Assembly, cannot succeed. Until the Mother Country shew the example, we cannot swerve from accustomed practice ; when their right of voting for Members of Parliament is recognised, it will not be questioned as to Members of Assembly.”

THESE observations were on the 24th of the same month, most severely animadverted on by a writer under the signature of “A JEW.”

“THE POLITICAL RIGHTS OF THE JEWS.

“FOR THE CHRONICLE.

“MR. EDITOR, In justice to the community of which I profess myself a member, I take the liberty of offering a few remarks on the observations of the Editor of the St. Jago Gazette,

in his paper of Saturday last, which was inserted in your impartial paper of Monday. Knowing that gentleman to be one of our present legislators, I should have thought he would have avoided giving an opinion upon a subject on which *he may* be called upon to be a *Judge*; but to proceed to his remarks—He asserts, “*That the resolutions of the House of Assembly ought to have set the matter at rest.*” Why should these resolutions set it at rest? They are not law, as he himself seems to allow; for further, he declares, “*They may rely that any attempt to encroach on long established custom, in so important a matter as that of voting for representatives in Assembly, will not succeed.*” That question, Mr. Editor, remains to be tried; for as there is no disqualification against us in law, our enlightened and learned Judges are the proper persons to determine if *custom* is to deprive us of our rights when law is in our favour. Again he asserts that “*no man is eligible to vote at an election who is not equally so to be elected himself.*” A few examples may convince the Editor and satisfy the public. Any person openly professing the Catholic religion is eligible, and can vote at an election; but he is by no means eligible to sit as a representative in the House of Assembly. Any person possessed of landed property, &c. to the amount of £10 per annum, is eligible to vote at an election; but he is by no means eligible to serve as a representative, unless he possesses property to the annual amount of £500. Many more examples may be given. I think the above will be sufficient to show the justice of the disinterested remarks of the Editor of the St. Jago Gazette.

“WITH regard to the British Parliament recognising the right of Jews to vote, I can confidently assert, that at Westminster and Middlesex the right of those Jews who have voted have never yet been disputed. In Canada, they not only vote, but also sit in the Provincial Parliament; as in 1808, at the election for the town of Three Rivers, which was sharply contested, Mr. Ezekiel Hart, a Jew, was chosen to serve for the town by a large majority, (*vide* Mr. John Lambert’s Travels in Canada, in 1806, 7, and 8, page 493). Here, nothing has as yet been produced against the eligibility of a Jew’s voting, but these resolutions and *custom*.

"As no *law* can be pronounced against them, I must think they are entitled to the privilege as well as any other British subjects. I therefore sincerely hope, that the leading and most respectable members of the Jewish nation, will not suffer a matter, so essential to their interests, to pass over lightly; but boldly step forward, assert our rights, and rely on the justice of our country.

"A JEW."

2-1273
 THIS severe publication he prudently declined answering. In fact, he had evidently descended to false argument, and deserves to be reprobated accordingly. Your astonishment will be still greater—when I inform you, that the Editor of this paper was actually a *Member* of the last House of Assembly, and is likely to be *one of the next*. His opinion on the present question may be very easily elicited from *his remarks*.—Men who are intolerant in their opinions, should keep their intolerance within the bounds of prudence; they should know that religion, in all its details, is an affair between God and his creature only; and that any attempt at human interference, is a violation of the right of conscience, and therefore ranks foremost in oppression. If no better reasons can be given, why a Jew should not be entitled to the Elective Franchise, they had better have been kept in the intolerant heart that suggested them. The learned Editor of the St. Jago Gazette, in his remarks, seems to have adopted an opinion in which I think our Colonial Assembly will not agree with him, for he appears at once to have admitted the much disputed right of the Mother Country to *legislate for her colonies*. He says, "until the Mother Country shews the exemple, we cannot swerve from accustomed practice; when their right of voting for Members of Parliament is recognised, *it will not be questioned as to Members of Assembly*." I do not

intend to argue the abstract question, whether the Mother Country can or cannot legislate for us, but I will boldly assert, that although the Jews labour under great disadvantages in England, yet, in many places there, they vote for the return of Members to Parliament.

THE Editor should have known, that the right of voting is very different in this island from what it is in England.

IN this Island it is confined to *Freeholders solely*; in England it belongs to various classes, according to the Charter of the City, Town, or Borough. For example, in the City of London, none possess the right but the Liverymen, to obtain which rank it is necessary that the person should have served his apprenticeship for seven years to a Freeman belonging to one of the Eighty Livery Companies, and afterwards taken the regular oaths, namely, that of Allegiance, and the oath to promote the interest and welfare of the City:* and as there is no prohibition in the City Charter against a Jew being a Freeman, as was proved before the Lord Chief Justice,† there can be no objection to his vote. In the City of Westminster, it is only necessary to pay "Scot and Lot" in order to be an Elector; in Liverpool, it is sufficient if the individual's name

* On particular occasions the Freedom of the City has been presented to Naval and Military Officers for Meritorious Services.

† On the 25th April, 1830, in the Court of King's Bench, a writ of Mandamus was moved for by Mr. Scarlett, to shew cause why Abraham Saul, a Butcher, should not be admitted a Freeman of the City. It appeared that Mr. Saul had applied to the Court of Aldermen, who refused his application, supposing him to be a Jew.

Mr. Justice Best, one of the Court, wished to know if there was no Law which precluded a Jew from obtaining the Freedom of the City.—Mr. Scarlett answered,—Nothing was to be found in the Charter; it rested entirely on CUSTOMARY usage.

The Lord Chief Justice GRANTED the rule:

is not inserted in the list of paupers to whom the parish gives relief ; and in other Chartered Towns it is only necessary to be a member of a Corporate Body, to enjoy the Elective Franchise—Consequently there cannot be a doubt on any one's mind, that in any of these places in England, where the Jews possess the above mentioned requisites, they vote without distinction from their fellow subjects.

IN a particular point of view, the Jews are a very great auxiliary to any country, from their knowledge, enterprize and industry in commercial pursuits : Living under a monarchical form of government, they have ever evinced an attachment to their Sovereign ; they contribute largely to the support of the state by taxation ; they form no confederacies, plot no treasons ; in their Religion they are mild and devout ; and in their domestic relations, they are affectionate, charitable and humane. In all the relations of life, as Fathers, Husbands, and Citizens, I persuade myself that they yield to none ; and they have ever been distinguished for their obedience to the Laws on all occasions. Surely, then, it is not too much to expect, that under all these circumstances the right they seek should be confirmed to them. The Jews, notwithstanding their Religion, are Englishmen, and have ever proved themselves a loyal portion of his Majesty's subjects. They consider England as the seat of liberality ; the fountain of justice and mercy, and the refuge of the oppressed from every other nation ; the abode of private virtue and public liberty ; and when England learns to value her citizens EQUALLY, notwithstanding their various religious creeds, she will then, *but not till then*, rank

as pre-eminent for equitable policy, among the greatest and most powerful nations of the earth, as she already does for arts and arms.

I SHOULD have observed to you, that "PHILANTHROPOS" again presented himself to the public on the 22d May last. His essay, which is written with his usual ability, is as follows :—

"FOR THE KINGSTON CHRONICLE.

"MR. EDITOR,

"I CONFESS at the time my essay appeared in your paper of the 15th ult. I was not aware that there existed on the Journals of the Honourable House of Assembly for the year 1750, certain resolutions that no doubt *then* incapacitated the Jews from voting, or I should have availed myself of that opportunity to have animadverted on the subject, and also to give my thoughts on the gross and calumniating aspersions so replete in the petitions of the Christian Inhabitants of Kingston, St. Catherine, and St. Andrew's, which in the present day would be deemed as scurrilous libels. The allegations therein set forth met with due investigation, and the result was, that the Jews were chronicled on the Journals as incapable of voting. Possessing very little forensic knowledge, I may be allowed to ask this question—if barely a *resolution* of our commons can, in the eye of our most noble constitution, possess the power and authority to be obeyed by the people in the same capacity as a law that regularly passes the three great estates of Parliament? It appears, nevertheless, that thirty years afterwards, the election laws were revised and amended by the statute of the year 1750, which mentions not one syllable of the illegality or disqualification of the Jews as electors, nor in no one of its several clauses does it revert to the restrictions in question. A different sense of opinion and feeling must have pervaded the minds of the Legislators of that time; for had they conceived that the Jews were ineligible to vote, it was a very easy matter to insert a clause to that effect, which would have put the question at rest.

"I CERTAINLY entertain a doctrine compatible with reason and justice, that the subsequent election laws supersede and make obsolete the resolutions of 1750.

"THE Royal Gazette for last Saturday exhibited to the public the whole [of] the proceedings, with abstracts, from the said Journals, accompanied with a few remarks of a writer, signed "VETUS." He did not give much discussion on the subject, but what came from his pen does credit both to his head and heart. If we may judge of his ability by his remarks, he is fully competent to discuss the "abstract question," whenever he may deem it necessary.

"THE approaching general election will decide the question finally; and the Hebrews of this island will, it is expected, take an active, deliberate, and solemn part in asserting and maintaining the invaluable right of being *properly represented*: for at present who can say that they are so? To take a schedule of their aggregate taxation, and compare it with the net balance of the other taxes, in a ratio of proportion, every impartial man would then see how very obvious and expedient it is, that they should vote at the election of representatives for the Colonial Parliament.

"THE petitions of the Christian inhabitants of the three parishes cannot be viewed, in this enlightened age, but as savouring and partaking of the remains of those barbarous and uncivilized times, (imbibing strongly the Spanish sentiment) when persecution lighted its torch to discover the sufferings of its unhappy victims, and not unlike the crusades of Catholic Potentates, combining their power to exterminate a race of mortals, because they professed a different creed. Had Martin Luther been born an Englishman in any of the reigns, from our first Edward (1) to Mary, he never would have been suffered to disseminate the excellent principles of the Reformation, which forms the basis and bulwark of the Protestant faith—he would have perished at the stake or on the scaffold. He, indeed, *great man!* encountered many perils, and had several 'hair breadth escapes,' that only can be

(1) It is no wonder then that the Jews were persecuted by this monarch.

attributed to Divine Providence. If we were to turn to the page of the history of those feudal times, we would find that in the year 1525, no less than 50,000 of his followers were massacred by William de Furstenburg. In England, in the reign of the sanguinary Mary, three reverend and pious Prelates, Archbishop Cranmer, with the Bishops Latimer and Ridley, and upwards of 300 Protestants, were burned alive, besides vast numbers that perished in prisons. In France (not to mention Spain) an innumerable number were butchered, and the sentence of the gallies proclaimed against all who harboured them.

“THUS we find what torrents of human blood have been devoted to the reformed religion, that manifests the great difference between the doctrines of the gospel and the superstitions and barbarities that form the practices of the Roman Church. Those times, aye ! and down to the era of 1750, the Jew and the Protestant were equally fit objects for the tyranny of *the most holy Inquisition*.

“I DOUBT if many of those *charitable Christians*, who were petitioners against the Jews, were of the Protestant belief. I am almost inclined to think that they were adherents to the Romish faith ; at least, they were badly instructed in the true characters of Christianity, which teaches the love of all mankind, not excluding even our enemies. ‘To love our enemies,’ says a celebrated Theologist, ‘is one of the maxims of Christianity, which prevents those excesses which the heathen and modern world have experienced, without the knowledge or regard of its most sacred influence.’ Had these said petitioners been sanctioned by the laws, ‘to hunt the Jews as wild beasts and vermin’ out of this Island, it is not questionable but they would have used the force, (had they sufficient physical strength) and slaughtered every Israelite.—*O tempora, O mores !!!*

“THE Government of Great Britain appreciates their vast mercantile utility to the state, and their immediate compliance to the call of the Country for pecuniary assistance ; and the Jews move in the first sphere of society, and have attained an equivalent political interest with their fellow subjects. It is their lot, in these happy times of toleration, to be swayed by the sceptre of

a George, who, as a Protestant Prince, possesses, and practices, all the virtues that can adorn a Christian, and which he inherited from his illustrious forefathers. He ever will be alive to the just complaints of his subjects, when they are oppressed; and, like his father, (of happy memory) relieve them, to the extent of his royal prerogative. Such a benign and enlightened monarch does not hold it as a dogma that religious opinion incapacitates a man from being a good subject, and must therefore preclude him from *all* the advantages of the state to which, from his merits, he is entitled.

"It is impossible, Mr. Editor, to await the issue of the topic that occasions this lucubration without some anxiety and apprehension. I however confess, that my anticipations, on the whole, are favourable; but should I be disappointed in the result, I shall notwithstanding feel conscious that I have exerted an honest ambition, endeavouring to give a portion of my fellow subjects, in this island, a participation of one of the first rights that belong to men, who have an interest in the soil, and whom the laws allow to be freeholders.

Homo sum : humani nihil a me alienum puto.—TER.

"PHILANTHROPOS."

THIS writer handles the petitioners of 1750 with proper severity, while he pays a tribute of respect to the Protestants, and to that beloved Monarch, under whose happy Government every man is left to pursue the bent of his lawful inclinations.

THE British Ministers, at times, have employed Jews on very important occasions. Other Governments have done so too; and they have generally acquitted themselves to the satisfaction of those who employed them. I have it from the authority of M. M. Noah, Esq. late Consul of the United States of America for

the Kingdom of Tunis, a Jew, who states in his Book of Travels, published in America in 1819, "That in 1811, the British Government sent Aaron Cordoro, Esq. of Gibraltar, a most intelligent and respectable Jew, with a sloop of war, to Algiers, to negotiate some important point connected with commerce. He was received with deference, and succeeded." He also states, that "The Dey of Algiers had appointed Abraham Busnah his Minister at the Court of France, Nathan Bacri his Consul at Marseilles, whose brother holds the same office at Leghorn. The Treasurer, Interpreter, and Commercial Agent of the Grand Seigneur at Constantinople, are Jews."

THAT Mr. Noah was held during his Consulship in the highest estimation by the Court at which he resided, we have the testimony of Richard Oglander, Esq. the British Consul, and all of the diplomatic characters employed by the different European Courts at Tunis. Why then should Englishmen be deprived of these rights in their own country? Is it because they have a different opinion in regard to the method in which they worship the Almighty?

IDEAS of the Christian religion, and its peculiar obligations, differ materially even among Christians.—The Trinitarian's belief is very different from that of the Unitarian, whose religion closely resembles the Jewish; yet *all* enjoy the rights of Citizens in common, except the unfortunate Jew, whose mind is perhaps equally enlightened with that of the more fortunate Christian. On this subject a learned author of the present day, makes the following remarks:—

"THE encreasing light of reason has destroyed some of the remnants of ignorance and barbarism, but much remains to be done before the final accomplishment of the grand purpose ; which, however delayed, cannot ultimately be defeated, I mean the complete emancipation of the mind—the destruction of all creeds and articles of faith—and the establishment of full freedom of opinion and belief.—I cannot doubt that a day will arrive, when the attempt at enforcing uniformity of opinion will be deemed as irrational and as little desirable as to endeavour at producing sameness of face and stature.

"THESE opinions do not need the support of names, or I might cite *Locke*, in whose *Letters on Toleration* all the great principles on which the freedom of the human mind rests, are fully developed, and universally established.

"THIS may be called speculation, theory, or other bad names ; I have therefore pleasure in referring to the authority of a practical Statesman and enlightened Magistrate. (See *Jefferson's Notes on Virginia*, page 241 to 270, also appendix No. 3, containing "an Act for establishing religious freedom, passed in the Assembly of Virginia, in the beginning of the year 1786 —An admirable model, which has been perfectly successful, though hitherto adopted in no other part of the World.)"

THERE certainly should not exist any difference in consequence of religious opinions. Merit and superior talent ought to confer the palm. If this principle were acted on, the consequences would be, that England and her dependencies would make still more rapid and unprecedented strides towards substantial wealth and national greatness.

I am, my Dear Sir,

Your respectful and obedient Servant.

LETTER IV.

Kingston, Jamaica, June 20th, 1820.

MY DEAR SIR,

You will perhaps censure me for occupying your attention with my remarks on the several publications which have appeared *pro* and *con* in this cause, when you are in possession of the originals ; but when you consider the anxiety which I feel, your candour will excuse me. I will endeavour to continue my narration with impartiality.

THE feelings of most of the Jews throughout the Island, are at this time in general accordance. The writers in support of their cause do not appear to confine themselves to this City ; last week's post brought me the Cornwall Chronicle,* from which I have extracted the following Essay, signed "AN ISRAELITE."

" TO THE EDITORS OF THE CORNWALL CHRONICLE.

" GENTLEMEN,

" I observed, in last Saturday's Royal Gazette, a Paper, signed VETUS, on " the Political Rights of the Jews." It requires more than common penetration to elucidate the reasons which have actuated, or with what view that writer has come forward to injure

* This newspaper is Edited by Messrs. Shergold and Guthrie, at Montego Bay.

the feelings and vilify the character of a People already labouring under the most severe oppression, which they have endured for centuries with patience and resignation, by bringing forth papers nearly extinct, which, in the present age, must be considered, by every unprejudiced and liberal man, with disgust and horror, and only calculated to excite ridicule. *We do*, thank God, live in times when superstition and all its concomitant evils are nearly obliterated ; and, whilst the most bigotted and fanatical nations are struggling to introduce a freedom of religion, by putting down every barrier to its accomplishment, is it possible that the first Country in the Universe, which set the example of toleration to other nations, ever intended to withhold from so large a proportion of its subjects, the exercise of their rights as citizens?—Surely it must be caused by a want of energy on their own part, or an insensibility of the equal rights which our glorious Constitution affords to every individual.

“ DOES VETUS wish to prove to us, that the resolution of the Honourable House of Assembly becomes a law without the concurrence of the other two branches of the Legislature ; or can he produce any law relative to elections of Members for that House which has not been repealed by an Act passed in the year 1780 (a much later period than when the circumstance he quotes took place)?—at which time, had it been contemplated to prevent the Jews from voting, it would have been provided for by an express clause, and the Provost-Marshal and his deputies directed to reject their votes ; but, on the contrary, they are not even named amongst that class of persons whose suffrages are not to be received.

“ I am no advocate for controversy, particularly where religion makes a part of the cause, but it would indeed be apathy (having now an opportunity of asserting their claims) did the Jews let it pass over, and not exert themselves in every legal and constitutional manner, without being excited to do so, by being reminded of the illiberality of a less enlightened era.

“ AN ISRAELITE,

“ BUT NO FREEHOLDER.

“ Montego-Bay, May 19, 1820.”

THE writer, in my opinion, has done very little for his cause—he has most certainly misunderstood “*Vetus*,” and has taken him to task very unjustly, and would have done better in resigning the defence of his brethren to abler pens. His letter has been rather severely answered in the same paper, of the 10th instant, by a Kingston writer, on the same side of the question, who subscribes himself “*A CITIZEN OF THE WORLD.*”

“ Kingston, 3d June, 1820.

“ TO THE EDITORS OF THE CORNWALL CHRONICLE.

“ GENTLEMEN,

“ I SHOULD not have attempted to intrude on the public eye, nor have troubled you, were it not on account of a publication which appeared in your paper, signed “*An Israelite.*” The thanks of every friend, who supports the laws of his country, are justly due you, for the impartiality of your conduct, in giving publicity to the lucubrations that may issue, from time to time, from the pens of the different writers, in support of the Political Rights of the Jews, and I have no doubt but *they* appreciate your conduct as it deserves.

“ UNFORTUNATELY, the “*Israelite*” has entirely misunderstood the intention of *Vetus*, imputing motives to that friend to the Jews’ cause which he is undeserving of, as every one *who understood him* must allow; he is also wrong, in supposing that the publication of the petitions of 1750 has been detrimental to the Jews; on the contrary, I should suppose they ought to invite discussions, in order that they may know and hear every thing that can be adduced, or produced, against them. I certainly believe, that the Jews are very good and loyal subjects, and are lovers of their country and of its laws; and, if it were necessary, would unite to a man in defence of them; I have, therefore, no hesitation in saying, that if nothing more can be said against their rights than what has already appeared in the

different papers, the most prejudiced must allow, that they are entitled, by the laws, to vote at Elections. The laws recognize the Jews as Freeholders; and, as the right of returning Members to the Assembly is in the Freeholders generally, as such, they can vote. Some have thought that their Religion will not permit their taking the Freeholder's Oath; such an absurdity could only have originated with those who never read the Election Laws, on referring to which, they will find, that the oath is perfectly consistent with the religion of the most rigid Jews.—“*It requires more than common penetration*” to discover the intention of the “Israelite,” in giving a different construction to the meaning of Vetus; that writer's intention was only to shew the unjust treatment which the Jews met with in a former day, on their applying for their rights. Vetus's words carry their meaning with them, for he ends, by stating a hope, “*that the Jews should not, in these enlightened times, be overwhelmed as they were, on their again claiming THEIR RIGHTS AS MEN AND AS CITIZENS.*” Surely such language as this is entirely undeserving the animadversions of the angry Israelite, or the meaning he has found for them. The “Israelite” does not appear to be aware of the *good* that the publishing of those petitions has done for his cause; it has been the means of exposing their absurdity and injustice. The petitions generally stated, that, by granting to the Jews their rights, it would interfere with, and deprive the Christians of theirs.—What an erroneous and unchristian-like idea.—But were there even a shadow of justice in it, I would ask, if 10,000 Voters can be afraid of trusting an 100th part of their number, and their own countrymen too, with equal rights and privileges with themselves? Certainly not.—Look at the United States of America, even our own Colony of Canada. We hear of no disputes, no persecutions, on account of religion; no ideas to subvert the Government, because people are of a different faith.—A Noble Lord in the British Senate, many years past, once stated, that the loyalty of the Jews had never yet been questioned; then, do away their grievances, and they will have nothing to complain of; put them on an equal footing with their fellow-subjects, and they will have nothing to hope for—nothing to expect beyond what they are entitled to.—In fine, as to temporal matters, Religion should be a secondary

consideration with all; for, while men are allowed to follow the dictates of their own conscience, and to enjoy equal rights, liberties, and immunities, one with the other, they naturally look to that form of Government, and that system of things, which protect them in the enjoyment of their privileges, and defend them from oppression.

"A CITIZEN OF THE WORLD."

For the tolerant spirit with which it is written—and the just remarks that it contains, this publication may be considered as one of the best that has appeared in favour of the Jews.—It will, I think, prevent the "Israelite" from another attempt, and put to rest that "*Cacoethes Scribendi*" with which he appears to be afflicted.

I HAVE every reason to believe that many more productions would have appeared, could the writers have got them inserted in the Daily Journals: but unfortunately for the public generally, there is but one Editor belonging to the press in Kingston, who will publish these productions—and then very often in an abridged state.—The liberty of the press in this island exists within a very limited and confined extent; it is used merely as the organ for foreign and domestic information.—No extraordinary talent is required in the Editor of a Colonial Newspaper—as it seldom contains any thing but advertisements, shipping intelligence, and English extracts.—The proceedings of our courts of law are seldom reported systematically; sometimes the heads of a particular cause are given with the verdict of the Jury—and a few other proceedings of less importance.—Our papers are consequently seldom interesting until the arrival of a packet—when

the English newspapers are copied ;—after which they fall into the usual uninteresting routine.

MANY thanks from the Hebrew Nation are certainly due to Andrew Lunan, Esq. the Editor of the “Kingston Chronicle,” for his independent conduct in giving publicity to the effusions which have already appeared in their favour through the medium of his press. Would that I could give the same tribute of praise to Mr. G. W. Strupar, the Editor of the “Jamaica Courier.” Candour compels me to state, that he invariably refused the insertion of every essay handed him for publication, with this laconic reply, “*That his paper was neutral.*” I shall refrain from animadverting on his *neutral* kindness ; no doubt his *neutrality* has been appreciated by the Jews as it justly deserves ! !

THE day of Election is most anxiously looked for by all parties. It is rumoured that the returning officer intends to refuse the votes of the Jews who are qualified Electors, but I rather think he will not—for he will, in such an event, be subjecting himself to various prosecutions and expensive law suits ;—which, by a contrary, and more judicious conduct, he may very easily prevent.

THE Election for this City is warmly contested by four candidates, and it returns but three members to the Assembly. Should the Sheriff accept the suffrages of the Jews, and should one or more of the candidates be returned by their votes, the rejected candidate can demand a scrutiny ; the matter would then be brought before the House of Assembly, and thus be determin-

ed by the House at once, without any expense to either party.

THIS would unquestionably be the best way for the Sheriff to adopt; it would also be more desirable for the Jews.

UNLESS some more publications make their appearance relating to this subject, I do not intend to write to you until after the 5th July, the day of Election; of the result of which I shall inform you.—In the devout hope that the Jews will succeed in their prospects,

I am, my dear Sir,

Your respectful obedient Servant.

LETTER V.

Kingston, Jamaica, July 6th, 1820.

MY DEAR SIR,

FROM the non-appearance of any publications for some time, I had concluded that the writings in support of this cause had ceased. I was, however, mistaken, for on the 3d of this month, two days previous to the Election, "PHILANTHROPOS" again addressed the Hebrew Nation, calling on those who were legally qualified, to present themselves at the hustings on the 5th, and not to suffer the opportunity to pass. His forcible and manly arguments appear to have had the desired effect, and I anticipate your approbation of his production on perusing it.

" TO THE EDITOR OF THE KINGSTON CHRONICLE.

" SIR,

" YOUR readiness to give a place in the columns of your Paper to such productions as you thought proper to insert, touching the Political Question of the Jews voting at the Election for Representatives in the General Assembly, prompts me again to intrude on your kindness, requesting an early insertion of the following Address ; and by your so doing you will oblige

" A WELL-WISHER, &c."

“ TO SUCH OF THE HEBREW NATION WHO ARE LEGALLY QUALIFIED TO VOTE AT ELECTIONS.

“ I again venture to present myself to your notice with the observations that follow, which I hope will be attended to with the consideration that is the concomitant of the mature deliberation that points out the necessity of maintaining a right, that there is no law to prevent, and which can be so easily obtained. My late essays on this subject are so recent, that it is unnecessary to recapitulate their particular passages, which I trust will be the incentive to bring you forward on Wednesday next.

“ My motive of this Address is solely to impress on your minds the firmness that ought to guide your conduct in this pursuit ; and let me tell you, that without a resolute determination in following up the cause, you had better not embark into it ; for the question being now tangible, if you suffer this opportunity to pass with impunity, I fear very much if it ever will be obtained, at least your present generation cannot look for it, and your children, when they arrive at the years of discrimination, will be ashamed of your imbecility. I trust you will take no exceptions to these passages, as they are not meant as presaging any anticipation of your not supporting your rights as Electors.

“ It has been rumoured that the Sheriff intends to refuse polling your votes. I confess that I attach very little or no credence to such a report. He, no doubt, values as much as any man his money, and yet more his liberty ; and he certainly will attend the Hustings prepared with *able forensic opinion*, that will legalize his refusal or acceptance of your votes. Be assured, that he will not arrogate to himself the responsibility of refusing your suffrages, without such competent legal advice. He is delicately situated, and will be cautious how he acts.

“ THE oath that the *lex scripta* of this Island requires of a Freeholder, when he tenders his vote, is by no means infringing on your religious belief—it can be taken with safety. But peradventure, the abjuration oath may be also tendered to you, notwithstanding there is no mention of it in the Statute Law made for the occasion ; but as I am ignorant why it should be admi-

nistered, and for you to be prepared, in the event that it should, I take leave to inform you, that by Stat. 10, Geo. 1. c. 4, 'When-
' ever any Jew shall present himself to take the oath of abjuration,
' the words, *upon the true faith of a Christian, shall be omitted*
' out of the said oath, in administering it to such persons profess-
' ing the Jewish Religion, without the said words, in like manner,
' as the Jews are admitted to give evidence in Courts of Justice,
' shall be deemed a sufficient taking the abjuration oath'. Thus
far you are prepared to refute any attempt that prejudice may
endeavour to bring in array against the political right you are
seeking to establish.

THE day of Election fixed for this City and Parish gives but
few of you an opportunity of being legally qualified as Electors,
as a great many did not record their titles in the Vestry Books
till late in April, immediately after the publication of my first
essay : But it is consolatory to know that there are some few,
whose titles have been registered on the parochial records now
some years. It is to those few that we must look up to for the
desired event. It is by their firmness and perseverance we are
to attain it. Energy is the nerve of action, and great events
owe their success to indefatigable exertion. You *all* must cer-
tainly be acquainted with the benefits that are attached in being
allowed to participate, in common with our fellow subjects, in the
delegation of Representatives. The Parliament are the guar-
dians of our property, our liberty, and our very lives. 'Their
power and jurisdiction,' says Sir Edward Coke, 'is so trans-
cendant and absolute, that it cannot be confined either for causes
or persons within any bounds.' Surely then do not suffer your-
selves to be mere cyphers, and non-entities, as freeholders ; but
calmly and dispassionately endeavour to obtain this ostensi-
ble and darling privilege.

"You have been blessed with every protection that the laws
afford by a wise and impartial administration of justice co-equal
with all his Majesty's subjects, and you have every reason to ex-
pect that our new Assembly will continue to you the same bless-
ings ; but it does not follow, that future ages may not produce
a prejudiced and biassed Legislature, (who know that you have

no suffrage in appointing them,) and who may deprive you of your present benefits, nay, render you on a level with the vilest slave; for no one can answer for the changes of time! No man can vouch for the improvement of ages! Behold the States of Rome and Greece, after attaining their climacteric of greatness, they did not continue to remain with their character of grandeur, they declined as time advanced, and dwindled into nothing!!

"WHEN you are firmly established as Electors, you will be regarded as a political part of the people. The policy of the established Church of the State forbid your approaching to the Senate, which you never can expect, without an apostacy from your faith; but it is a desideratum that you should be mingled with other freeholders in appointing representatives—'tis all you wish to acquire, and what you will obtain if you are not timid, and will travel in the beaten track.

"PHILANTHROPOS."

A REPLY to this communication was published next day, by a writer under the signature of "SETH," who professed himself a Jew, but who deserves to be heartily despised by his people, for his pusillanimity. He has unhappily chosen the name of a son of our primitive patriarch, who was not a Jew; as there were no religious distinctions in the days of Adam. Judaism was not known until the time of the patriarch Abraham, who was of the postdiluvian world. I here transcribe his letter.

"TO PHILANTHROPOS.

"SIR,

"I HAVE read your address to the Hebrew nation, and, as one amongst many, feel grateful for the interest you appear to take in our political rights in this colony, as far as regards our suffrage in Elections.

"CHARITY bids me to suppose your motives are pure ; and whether you are a member of our nation, and thus urge your brethren to involve themselves again in a question with the Legislature of the Island, or whether you are of the Established Religion, guided by sincere philanthropy, to see others partake with yourself the dearest rights of a Briton, yet, in either case, while it reflects honor to your feelings, is, alas ! to the nation you address, but an incitement to encounter the same bitter revilings, the same hasty reflections on their morals and manners, already so unhappily experienced. However pleasing and satisfactory it would be, to establish our right of voting for the election of a member, whose voice in the Assembly might injure, or benefit, our dearest rights, still it is not of that vital importance to our nation, as at present situated, to risk again meeting public contumely, and unwarrantable abuse.

" BOTH classes, both religions, are now the same as what they were years back ; the same prejudices, the same expectations, guide the one, and lead the other.

" IT has pleased the Almighty Disposer of every event, for purposes alone known to his gracious self, to preserve us in all climes, under all Governments, a distinct nation to this day.— Though labouring for many centuries under heavy calamities, bereft in society of every prospect of becoming either useful or eminent in any of the higher spheres of classical or martial honours, by cruel laws now in force against us, and which must prove to you the truth of my assertion, we nevertheless continue patient, knowing from dire experience, that every exertion to relieve ourselves has the Almighty's mark of disapprobation, by allowing mortals to crush with cruel violence, and bitter contempt, every effort. It is our sacred writings which teach us to hope for future happier days, by Divine interference alone, and in which the Christian joins in belief.

" YOUR benevolent essays, therefore, to excite us again to seek our right of voting, after what has already passed in the House of Assembly on the same question, merits thanks for your kind intentions ; but never, while I have a nerve left to hold a pen, will

I suffer my people unadvised to risk the calm and unmolested state of our present situation in this island, by voluntarily entering into a political contest, which, when obtained, though it be (as I before stated), highly gratifying, will, on the contrary, if defeated, again bring the silent mournful tear in the eyes of sensibility for unmerited contumely.

“As to ‘future ages producing prejudiced and biassed Legislatures, to deprive *us* of present benefits, and render *us* on a level with the vilest slave,’ I can only say, that the Hebrew nation will look to their God, who has not forsaken them, and who has so mercifully protected them hitherto, and whose gracious promises to that heart-cheering truth are too numerous in Scripture to be easily forgot or mistrusted. We do look, as you advise, to Rome and Greece, and do observe the immutability of all human power, that it is but weak and feeble, and less than nothing, a mere shadow! when compared to our hopes of futurity, for which, as a nation older than they (that were), we are preserved by the mercy of the Universal God.

“SETH.”

THE paper, however, had not the effect that the author intended, nor did it deter, in the smallest point, the minds of his Brethren from proceeding in the plan which they had adopted, and which they acted up to on the following day. This essay being addressed to “PHILANTHROPOS,” though evidently intended as the medium of advice to his brethren, Philanthropos did not let it escape him with impunity. On the day of Election, *this antediluvian Jew* was answered in a manner such as his pusillanimous conduct deserved, and with a severity that he will not soon forget.

“TO SETH.

“SIR,

“IT cannot fail to excite astonishment to every man of reflec-

tion, that you should presume to endeavour to render torpid the feelings of the Hebrew nation from seeking to establish their suffrages at elections. You avow yourself a Jew, and I am not ashamed of telling the world I am of that persuasion. I desire no commendation for my labours to propel our nation to be equalized with Christian freeholders—it is the duty of every Jew who possesses the common capacity of demonstrating to his people the benefits that may arise from a good cause, to do so without hesitation. The subject that I have written on is momentous to them, however we differ in opinion; and you have not proved one jot what you have advanced in contradiction to my efforts. On referring to the paragraph where you say that my address of yesterday will be ‘an incitement to encounter the bitter revilings, the same hasty reflections on their morals and manners, already so unhappily experienced,’ I am at a loss to deduce your meaning. The interpretation of that passage appears obvious, that you wish to insinuate that ‘the morals and manners’ of the Hebrews of this island are of a complexion to merit the contumely and unwarrantable abuse you appear to anticipate they will receive, in the event of approaching the Hustings of to-morrow.

“You appear to have read the Bible, particularly the Prophets; and notwithstanding all that is promised or contained in those Holy Writings towards the once chosen people, it would be as well for me to look to the common fable in every school book of Waggoner and Hercules, and better to adopt the moral of that fable, than to follow the advice you offer, in all seeming cant of a rabbinical discourse that you have addressed to me.

“I leave this community to judge of my motives, since I have been known to them. You are not mistaken in your observation that my intentions are pure. Depend they are uncontaminated with any sinister view. I have acquitted myself in the discharge of a duty incumbent on me, as a man and an Israelite; and shall enjoy the “*Mens concia recti*,” let the termination of the question be favourable or otherwise. The time presses, and I must be brief. I have hastily noticed, but not sufficiently replied to you, as I did not peruse your publication ‘till after meridian, as much more could be said in its refutation.

“PHILANTHROPOS.”

ANOTHER letter under the signature of "LEX" also appeared on the same day. I strongly suspect that this writer has presented himself to the public under some other shape during this contest. Judge of THIS ELEGANT LITTLE PRODUCTION by reading it here

" TO THE EDITOR OF THE KINGSTON CHRONICLE.

" SIR,

" YOUR Correspondent PHILANTHROPOS had better reserve his lucubrations for some other subject than that with which he is now bothering his brains. He talks of the Sheriff's rumoured intention to refuse a Jew's vote, in which case, he indirectly hints he will incur the penalty consequent on such refusal. I should hope the Sheriff knows his duty, and that if he accepts such votes as have become the subject of your hacknied correspondent, he will come under a breach of privilege of the Hon. House, a breach, I apprehend, " no forensic opinion" would induce him to incur.

" LEX.

" Spanish-Town, July 4, 1820."

"LEX" seems to have but little knowledge of *Law*. His stupid and futile remarks, respecting breaches of privilege, &c. are scarce worthy of notice.—Mr. Lex should certainly be aware that the Jews once possessed this right, equally with himself, and that even now, a Jew living in any of his Majesty's Colonies for seven years, is entitled by Act of Parliament to the right of Denizenship. If he is unacquainted with these circumstances, I will inform the Gentleman that under the Ministry of the Duke of Newcastle and his brother, Mr. Pelham, in the year 1752, a bill was passed, granting to the Jews the full and free right of Citizenship. At that time it was considered a very unpopular measure, and the Bill was repealed the next Session.

A motion was then made to repeal a former Act, in favour of the Jews ; by virtue of which *any person professing the Jewish Religion* may become a *free Denizen of Great-Britain* after having resided *seven years* in any of his Majesty's *Colonies in America*. Lord Harley moved for leave to bring in a Bill to repeal so much of the said Act as related to persons professing the Jewish Religion, who should go to settle in a British Colony after a certain time. The motion was seconded by Sir James Dashwood, and supported by Earl Egmont ; but being resisted by the interest and eloquence of Mr. Pelham and Mr. Pitt, it was rejected by a large majority.

As a great deal of argument has taken place respecting the right that the Jews are seeking to establish, I must beg leave to make a few unprejudiced remarks. Most persons think that they would be entitled to vote, could they take the oath that is tendered by the Sheriff to any Freeholder whose right to vote that officer regards as at all doubtful. I must here request you to refer to the (1) Oath extracted from the Election laws, and you will immediately perceive, that the most rigid Jew can take it, without the smallest infringement on his religious belief. The opinion that they could not, has arisen from the circumstance—that formerly oaths were administered on the Holy Evangelists. But that form has been very correctly set aside, and the only true and dignified Oath, now administered to all—is the solemn adjuration by the only true and living God. This question being set at rest, I will now give you a proof, that Jews are entitled not only

(1) At the End of the Book.

by law, but by justice and common equity, to the right of franchise. If a Jew sells his freehold to a Christian, does not that Christian purchaser obtaining his fee simple from the Jew, become a *bona fide* Freeholder, and consequently possessed of the elective franchise? What then was the Jew to be considered, who sold that freehold, and who may have perhaps fifteen or twenty more, of greater value than the one sold to the Christian? I will venture to answer the questions. I maintain, that as the law does not disqualify the Jew, he is as eligible a Freeholder as any in the land.

FROM these circumstances, which must forcibly strike the most common observer, you may naturally infer, that Mr. S. J. Geoghegan, the returning officer for this City, would have been induced to take their votes. To the surprize of all, (excepting those, who it is supposed will bear him harmless,) he has had the temerity to refuse (at the election) the votes of several Jews who tendered them. He, however, conducted himself with great politeness to Mr. Levi Hyman, one of the most opulent Jewish Freeholders of this City and Parish. He stated "that he intended no personal offence to him, or the Gentlemen of his persuasion; —that he was perfectly aware of what he was doing, and that it was useless for him (Mr. H.) to remonstrate, the hustings not being a proper place to argue on the subject, but that he would on no account accept of the votes of any Gentlemen of the Jewish religion."

MR. HYMAN was accompanied by Messrs. J. & M. Delgado, who are not Freeholders, but who are warm

and strenuous supporters of their Brethren's cause ; by whose means principally, the Jewish Nation have been roused to assert this right ;—and in pursuance of whose advice Mr. Hyman acted. In justice to him, I must allow, that he conducted himself with spirit and firmness on the occasion. He boldly presented one of his numerous recorded titles, (for he has eighteen or twenty,) to the Sheriff, for his inspection ; and on his refusing to receive his vote, Mr. H. told him, that he should seek that redress which the laws of his country pointed out. He retired from the hustings with the praises of his friends, and the approbation of his own heart.

MR. HYMAN'S intention, I believe, is to prosecute the Sheriff according to law, for having refused a legal vote ; but as the suit will not terminate until September, the question will remain undecided for some time. As is usual in all undecided cases, the opinions respecting the result are various ; but from every view that I have taken of the law, I do not doubt of the ultimate success of his cause. Happily for this Island, happily for the Jews, in the person of their Chief Justice they have a Gentleman, whose talents, judgment, and impartial administration of justice, have hitherto endeared him to all classes of society. I hope their cause will receive an *impartial unbiassed investigation*. For my part, I do not think there will be found in the 19th century, an Englishman, much less a Jury of Englishmen, who would unite, contrary to law and equity, to deprive their fellow countrymen, (notwithstanding an opposite faith,) of a privilege, which they have an undoubted right to enjoy, in common with their fellow citizens.

ENGLISHMEN, whose character is so pre-eminently distinguished above that of all other nations of the earth, will concentrate all their energies of thought, and sympathy, in granting justice to their countrymen, born under the same standard of liberty ; and will, no doubt, confirm to them this invaluable privilege, interwoven with the Constitution which they so highly estimate.

It is hoped, that Mr. Hyman will follow up his expressed intentions, and that the Jews will exert themselves in support of his cause. That their united exertions will be finally successful, I have no doubt ;—and though human foresight cannot pretend to be certain of the result, it is unquestionably their duty to pursue the measure to the end.

I HAVE now given you a perfect detail to the present time.—Many have too much good sense and discernment not to perceive the merit of an undertaking, evidently calculated for their advantage ; while others will be too tenacious of their reputation, not to appear to approve of it, yet are very far from wishing it success. These are truths but too well known, but I hope will not be pernicious to the cause. I shall very shortly continue my account, and am,

My dear Sir,

Your respectful humble Servant.

LETTER VI.

Kingston, Jamaica, August 1, 1820.

MY DEAR SIR,

I received your favour, and will pay every attention to your solicitation of continuing my "interesting account," as you are pleased to term it, and to your advice of offering my letters to the public, when they are concluded, or when the question of right is decided; "as they will be a collection of facts, peculiarly interesting to the Jewish nation, which many will be desirous of possessing."

I HAVE no doubt that a deep interest exists in the minds of both Jews, and Christians, on the subject of these letters; and though the publication must be an after consideration, yet, if you think that by publishing them, any benefit may accrue to the Jews, or that they may assist in producing a correct and sound way of thinking in relation to them, any objections that I may have, will be removed; although I dread the idea of presenting to the eyes of the public, papers originally intended only for your perusal.

Hitherto my letters to you have been easy and pleasant tasks. I have now to undertake a more difficult one. I shall, however endeavour to set forth in the most striking light, the duty which binds men to support each other in all their just undertakings: and to pour-

tray characters with impartiality, without a wish, or inclination to utter even a hint that may distress the feelings of any person ; nothing can be more opposite to my design. I feel conscious in my own mind of the veracity of my communications ; and as truth ought not, and indeed eventually cannot be detrimental to any one, nor to the cause to which I profess myself a friend, I am resolved to communicate to you the circumstances which have occurred.

THE enjoyment of political liberty, is very often worth the greatest sacrifices made to attain it, and therefore warrants the lofty language, in which it has been celebrated in every age.—Its effects on the Jewish character you will hereafter discover by their conduct on this occasion. Several of them, as I have already said, are enemies to their people's cause ;—how lamentably ignorant to their own true interests !—How foolishly have the Jewish community of this Island suffered themselves to be deluded by a spirit of party, which confines all the exertions made in this cause, to a few members of the body, possessed of liberal minds and enlightened views ! The selfish principle, which should be subdued by information, too often, in that community, leads to acts base in themselves, and pernicious to the society to which those who commit them belong ; while the only plea which they can set up to excuse their misdeeds, is their pecuniary interest ;—a flimsy apology ! It is however, a consolation to reflect, that there are many to whom these observations cannot be applied ; many, who have manifested an independence of mind that sets at defiance the dangerous opinions and influence of the few.

I SHALL NOW inform you of the plan of proceeding, which the major part of the Jews have adopted, in the prosecution of this measure, and I think it will attest their zeal and perseverance, and manifest how much they have the cause at heart.

THE refusal of the returning officer to accept their votes, rendered it necessary that legal steps should be taken, and that some persons should take the lead in the management of the cause. Accordingly the opinions of the larger portion of the Jews were collected by gentlemen, who were anxious to ascertain whether a public feeling existed among them in favour of the measure; who, on finding it to be very general, addressed the following letter to their Representatives in Vestry, signed by themselves, and a great many others, praying that *they* would adopt, under their auspices, proper measures to establish the right denied them, and that they would also, as Representatives of the Nation, undertake to conduct the cause.

“ Kingston, July 6, 1820.

“ TO THE WARDENS OF THE SYNAGOGUE.*

“ RESPECTABLE SIRS,

“ WE, the following Members, most humbly approach you, as guardians of our rights relative to our Congregational Society, to request, that you will convene a full meeting of your vestry, that we may lay before them a circumstantial account of the illegal refusal which many of our Brethren have received, in offering their suffrages as qualified freeholders, to return Members for the Assembly of this Island, when no statute law of this Country disables them from doing so, and your united determination and support for the best mode of proceeding, are called on, to a question

* The Wardens have power to call a Vestry whenever they think fit to do so—The regular meetings of the Vestry are held once a month.

touching our vital rights, as legal subjects and inhabitants of the Island. We are, with every consideration,

"Your humble and obedient Servants.

By this application it appears that the Jews never contemplated or wished to act independently of their representatives in Vestry. The following answer was received on the same day; viz.

"Kingston, 16th July, 1820.

"TO B. L. ALVES, ESQ.*, AND THE GENTLEMEN COMPOSING
THE MEMBERS OF THE CONGREGATION, &c. &c.†

"GENTLEMEN,

"I AM directed to acknowledge the receipt of your communication of the 6th inst. requesting a meeting of the Vestry, for the purpose of laying before them certain matters, which they have been pleased to grant.

"I AM further directed to acquaint you that a Meeting will be held the 23d inst. at 9 o'clock, a. m. for such purpose, and that you are requested to appoint a Committee to attend there in your behalf.

"I remain, Gentlemen, very respectfully,

"Your obedient humble Servant,

(Signed)

"DANIEL JACOBS, Sec."

IN pursuance of this advice from the Vestry, B. L. Alves, Esq. a gentleman of great respectability, who some time past held the joint offices of President and Vestryman, did at the request of the signing members appoint five gentlemen from the whole, with himself, as a Committee, to conduct this national cause, and

*This Gentleman's name was the first signed, in the Letter to the Vestry.

† I have given in English, the Spanish and Hebrew terms made use of when the Jews address their Vestry, or are addressed by them.

to communicate and advise with their Representatives in Vestry on the best mode of proceeding. The Gentlemen composing the Committee were

B. L. ALVES, President.

JS. D. C. ALVERENGA

M. DELGADO,

ISAAC DELGADO,

JOS G. BRAVO, and

M. C. BELINFANTE, ESQES.

THEIR first meeting took place at the house of Mr. Isaac Delgado, when the former letter to the Vestry, and their answer being read, they resolved unanimously to address the following letter to the Vestry :

“ TO THE WARDENS AND VESTRYMEN, &c. &c.

“ RESPECTABLE SIRs,

“ YOUR letter addressed to B. L. Alves, Esq. and the gentlemen composing the members of this Congregation, has been communicated to the majority thereof, and, under their directions, we approach you, as the Committee delegated to commune with your Respectable Body *by letter* on that subject.

“ WE beg leave to solicit your assistance and co-operation, in furthering the rights we are seeking to establish. In our general address to you, it was not an application in our behalf solely. We conceive that *you* as our representatives are *equally* concerned with ourselves, and that *all* of our Nation will enjoy, in common with each other, the advantages which may be derived therefrom. We consider it necessary to state, that our rights as Freeholders have been invaded in the person of Mr. Levi Hyman, who attended at the last election in this City to give his suffrage to return Members to the Assembly of this Island. He was rejected on the principle of his being a Jew ; and notwithstanding that he intends to appeal to the laws of his Country for redress, yet it is a bounden duty that calls most imperatively on us, to come forward, to use all possible means in our power, to establish our rights as freeholders to give our suffrages for Representatives. As such, we inform your Respectable Body, of our full persuasion, that, should

we be so imbecile, as quietly to submit to the infringement of our rights, and to suffer ourselves to be deprived of them with impunity, it may be questionable whether the freeholders among us, may not be exempt from the law of arrest, whose benefits they heretofore enjoyed. It is feared that it will prove a sufficient ground for regarding our possessions as freeholders as a mere non-entity, which, we may presume, will be the ultimate consequence, should we be wanting in vigilance and proper measures, to maintain the rights we are seeking to establish.

“WE further acquaint your Respectable Body, that an undertaking was commenced in aid of the cause, and contributions would have been collected, and measures of a national nature adopted, had we not considered the propriety of their being submitted to *you*, the Elders of our Synagogue.—We feel happy to find that your Respectable Body has listened to our call, with that promptitude which, no doubt, will be manifested throughout the proceedings, in which you may be required to co-operate with us.

“THE following Items we with all due deference submit to your consideration, which, should they be considered efficient, will be the commencement of our avocation. But if in your wisdom, any additional, or other proceeding be deemed requisite, we shall be happy to receive a suggestion of the same from your Respectable Body.—We hope in transmitting them, you will not view us, as steering within the latitude of your power. We give them to you as the opinions of the Members interested in this momentous question, either for *your* approbation, or amendment, or for both.

“1st. THAT a Communication be made from your Board to the Vestry of the English and German Jews’ Synagogue, and all the other Societies of Jews in this Island, inviting them to unite with you to aid and support a cause so essentially connected with the interest of the Jews generally.

“2d. THAT Subscription lists be opened under your and their auspices, for the purpose of receiving such amounts as the different members may think proper to subscribe, as a voluntary contribution; and that proper persons be appointed by your Respectable Body to apply for and to collect the same.

“ 3d. THAT a Treasurer be appointed by your Respectable Body to receive the contributions from the respective Collectors of the different Societies.

“ 4th. THAT a General Committee be appointed from the members, with full power to conduct the cause in all its different stages, as they in their judgment may think fit.

“ 5th. THAT in the event of the other Congregations joining in endeavouring to obtain our Rights, that their Vestries be invited to add three or five Members to the General Committee.

“ We have the honour,

“ Respectful Sirs, to be

“ Your obedient Servants,

“ 21st July, 1820.”

“ Signed (By the Committee).

THIS Letter, respectful, moderate, and reasonable, was generally approved of, and it was presented by the Committee to the Vestry, with a respectful independence of manner, that demanded from the latter immediate attention.—The Vestry deliberated a long time. A final decision was not given on that day; the subject being considered of magnitude, they required further time to consider if they should comply with the wishes of their Constituents. The same evening they addressed the following letter to the Committee, through their Secretary, viz.

“ Kingston, 23d July, 1820.

“ GENTLEMEN,

“ IN obedience to the directions of the Vestry at a Meeting held this day, I beg leave to acknowledge the receipt of your communication touching the Elective Franchise of the Nation, and your delegation as a Committee.—I am further directed to transmit you,

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a Copy of the Resolution, enacted thereon, which I have the pleasure to state at foot. With sentiments of the highest consideration and respect,

"I remain, Gentlemen,

"Your most obedient humble Servant,

"(Signed) DANIEL JACOBS, Secretary."

"Resolved Unanimously,

"THAT the consideration of this matter *being of the highest importance to the future advantage and welfare of the Nation*, that the same be deferred until a further day, in order to afford the Members of this Board an opportunity of obtaining such further information thereon, as will aid and assist us ON THE PREMISES."

My next will state further proceedings.

I am, my dear Sir,

Your respectful obedient Servant.

LETTER VII.

Kingston, Jamaica, August 21st, 1820.

MY DEAR SIR,

MOST persons, after reading the communications which had passed between the Committee, and the Vestry, would naturally conclude, that the latter would have joined, and supported their Constituents to the utmost of their power; particularly, as the first Resolution sent to the Committee states, they consider the matter "*as being of the highest importance to the future advantage and welfare of the Nation.*" To the surprise and consternation of the Jews, the conduct of their Vestry has been marked with duplicity. Notwithstanding their vaunting "*its high importance,*" they have at length refused to comply with the wishes of their Constituents. You will better perceive the sophistry of their arguments by the following letter from them to the Committee:

"Kingston, August 13th, 1820.

"GENTLEMEN,

"AGREEABLY to the directions of the Vestry, at a Meeting held this day, I transmit a copy of a Resolution recorded on their minutes, regarding the communication of the 21st ultimo.

"I remain, Gentlemen,

"Your most obedient humble Servant,

(Signed)

"DANIEL JACOBS, Sec.

"To the Gentlemen composing the Committee, &c. &c."

“Resolved,

“THAT the members of this Board have evinced on every occasion, the utmost desire of complying with the wishes of their Constituents, and of giving their support to every measure calculated to afford them the least possible benefit and advantage.

“THAT the members of this Board have used every effort in furtherance of their application, to ascertain the propriety and expediency of embarking in the undertaking, contemplated by their communication of the 21st ultimo. From the information which they have collected through their delegates, and from the best sources, they feel warranted in recommending most respectfully to their constituents, a suspension for the present of any further proceeding, touching the issue of their rights as Electors, being, at this juncture, both impolitic and injudicious; and *from the assurances which this Board have received, emanating from the first Authorities** that the disadvantages under which the Nation now labour, will, at no distant period, be found in a state of progressive improvement. This Board has little doubt that, by a continuation of that temperance and correct conduct, for which the character of the Nation has been so justly appreciated, they will ultimately enjoy those rights, in common with their fellow-subjects, which are so desirable to be attained by all.”

WHAT a surprising contradiction there is between this last Resolution and the former, from which Common Sense would have led any one to believe, that they would have encouraged the undertaking; particularly, as they would have been included in the benefit. As men, they should not have receded from their first resolution; as the Representatives of the Nation, they were bound *to obey* the voice of their Constituents, and to follow their direction.

By this last Resolution they have declined *all* inter-

* It would have been more generous to have said, who the first authorities are, from whom they received this assurance.

ference. To me their hearts seem divested of the feelings with which their Brethren's are animated—a frigidity exists among them, which ought to be made the subject of deserved reprehension.

I WOULD not willingly render these letters the channel of disseminating an injurious representation ; but the fact of their refusal to support their people is notorious, and the dissatisfaction of their Constituents on this point, so general, that it would be a direct dereliction of duty to permit their neglect to pass without animadversion. To oppose the most deeply grounded popular feeling, is not a very sagacious proceeding. The Vestry ought to have remembered the ancient maxim, “ The voice of the people is Supreme Law.”

THE conduct of these Representatives will never be forgotten ; although *they* have refused their support towards this measure, yet their Constituents will not suffer for the want of a well directed application of their means.

THIS language, which may be called severe, is only directed towards those who are the legitimate objects of the most extreme severity, for their attempt to throw cold water on the rising flame of their Brethren. It is pleasing to find that they could not quench it ; their attempt proved as abortive as their machinations were mischievous.

THOSE who exercise power, (such is human nature), are quite as fallible as those who are the objects of its exercise ; but all will allow that the improprieties of the former are the most dangerous and most intolerable.

A MEETING of the Committee took place at the house of Mr. Isaac Delgado on the 15th inst. ; when the letter from the Vestry was read with mingled feelings of surprise, and regret. They entered into a determination to answer the letter, and resolved to use every exertion on their part, to forward the undertaking, and adjourned till the 20th. A meeting then took place at the house of Mr. M. Delgado, who politely offered his residence, to the service of the Committee for future meetings. They on that evening entered into several spirited resolutions, and directed one of their members to wait on Levi Hyman, Esq. to ask his intention, respecting the prosecution of the Sheriff; they also directed that Subscription Lists should be opened in furtherance of the cause, and B. J. Alves, Esq. was appointed Treasurer.

MESSRS. Belinfante and M. Delgado were appointed to apply for, and to collect contributions. In pursuance of a resolution of the Committee, their first application was to be made to David Bravo and Moses Bravo, Esqrs. as two of the most considerable and opulent land-holders, and afterwards to the Jews indiscriminately.

THE following Letter in answer to the Vestry, presented, and read by Mr. Jos. G. Bravo, was highly approved of, and directions were given to forward the same.

“ TO THE WARDENS, AND ELDERS, OF THE SYNAGOGUE.

“ Kingston, 20th August, 1820.

“ RESPECTABLE SIRS,

“ WE have been favoured, through your Secretary, with two Resolutions passed by you, relative to the communication ad-

dressed by us, as a Committee from the Members, respecting your judgment and assistance in aiding us to obtain our political rights, which have been notoriously denied us.—Your last Resolutions, dated the 13th instant, came to us, in the shape of a definitive conclusion on your part, respecting our Memorial, in which we were joined by a large portion of the Members.

“ GREAT as is our disappointment in your not aiding us in endeavouring to obtain this political right ; still (while we give you thanks for the attention which you have shewn to the Memorial), candour and truth compel us to say, that we find amongst you, the influence of a *fatal timidity* upon this question, overcoming your energies and right feelings, as the Representatives of your oppressed Brethren. And again, we would but be masking our irritated and insulted feelings—did we not say to you, that it would have highly accorded with your situation, and would have manifested that you feel with us as oppressed and insulted Israelites, if you had communicated to us, what is the precise nature of the information which you have received from the “*first authorities*,” which you state you are “*in possession of*.” Giving you every credit for your recommendation to us to bear with “*patience and moderation*” our oppression and slavery—still we cannot cover or garble our opinion, that if we remain for ever unmoved, and make no exertion to effect a partial amelioration of our present state among Christians, and obtain our rights *in time*, as you seem to think—under supineness and indifference—then we must conclude, that the days of miracles are not yet over.

“ CAST off as we are by you, our Congregational Representatives—divested in this momentous crisis of all aid but our own energies and perseverance—our united prayers and supplications are offered fervently to the Supreme Being for success ! Let it then be recorded and remembered by us all—that should we succeed—posterity can never give *you* the credit of being our supporters in the contest.—We shall, however, leave the gift to future generations, as a Legacy, which our hearts bequeath voluntarily to them.

“ With high respect and consideration,

“ We remain,” &c. &c.

(Signed by the Committee.)

THE next meeting was fixed for the succeeding Thursday, the 25th. In the intervening time, each member of the Committee was busily employed, in pursuing the duty he had been appointed to perform. The Gentlemen appointed to Collect Contributions made personal application to David Bravo, Esq., by whom they were received with such attention, and politeness, as was expected from a Gentleman of his rank and long standing in the Island. He instantly headed the subscription list, and expressed hearty wishes for the success of the cause.

THE application to Moses Bravo, Esq. did not succeed. Your astonishment will equal mine, on being made acquainted with his answer to the feeling representations made by Messrs. Belinfante and Delgado, "*that he was unfriendly to the proceeding, and therefore would not give any thing to its support !!!*" Yet he is a freeholder in several parishes, blessed with a fine respectable offspring, and reputed to be worth in landed property, at least £100,000 !!—On the succeeding Thursday, these circumstances were made known to the Committee ; also the amount of the contributions was reported ; and that several of the Vestrymen, notwithstanding their refusal to conduct the cause, had contributed liberally ; Daniel Melhado, Esq. a member thereof, having given £50—This circumstance induced the Committee to suppress their last letter, from a wish to conciliate, if possible, all parties. It is not necessary to furnish you with the names of the Subscribers ; suffice it to say, every member has been applied to who can afford to contribute, not more than *thirty*, to their disgrace, have refused pecuniary aid.

THE Committee gave permission to Mr J. G. Bravo, at his request, to procure the Journals of the House of Assembly of this Island, for the year 1737, as containing matter highly beneficial to the cause. A subscription list was directed to be forwarded to Mr. S. M. D. Silva of Spanish Town, with a respectful letter, requesting his interest and support, in procuring subscriptions. The following letter to that effect was read, and approved of :

“ Kingston, 25th August, 1820.

“ S. M. D. SILVA, SPA. TOWN.

“ DEAR SIR,

“ WE have unanimously taken the liberty of selecting you from our friends and brethren of Spanish Town, to put into your hands, the enclosed copy of a general subscription, now submitted to every Jew throughout the Island. We have the lively hope, that you will, upon looking to the occasion and intent of the subscription, use your extended interest and endeavours to promote the same in your Town. We beg leave to request that you will be pleased to communicate with our Treasurer, B. L. Alves, Esq. whatever sum your exertions may collect at Spanish Town, and insert the same as subscribers in that Town, in the enclosed copy of general subscription.

“ UNITEDLY and individually we tender our respectful compliments to you and your family, and remain, with high respect,

“ Your obedient servants.”

(Signed by the Committee.)

THE Committee, after recommending to each other further exertions in this measure, adjourned till the following week.

I am, my dear Sir,
Your respectful and obedient Servant.

LETTER VIII.

Kingston, Jamaica, September 10th, 1820.

MY DEAR SIR,

ON the 27th August, the Committee met as usual at the house of Mr. M. Delgado ; when Mr. Alves reported the determination of Mr. Hyman to prosecute the Sheriff (much to the satisfaction of every member present), and that his Solicitors were Messrs. Strutt and King. It being expedient that the Committee should be acquainted with the proceedings in this case, Mr. Isaac Delgado and Mr. Alves were appointed to consult with the Solicitors on all occasions. Mr. Jos. G. Bravo also stated, that Mr. S. M. De Silva had declined interfering, until he had taken the advice of his Solicitors on the occasion, according to which he would act. His pecuniary aid had not been yet tendered, and it has been since made known to the Committee that they are not to expect any.

Mr. Alves and Mr. Belinfante were then appointed to go to Spanish Town for the purpose of collecting such sums as the Jews there may wish to contribute.

Mr. M. Delgado also stated that the Jews of Montego Bay were desirous of contributing to the support of this cause, and that he would pay into the hands of

the Treasurer the amount of the contributions that may be received from that place. The total amount of subscriptions would be made known at the next meeting, to be called at the request of any two members of the Committee.

At this present time I have every reason to conclude that all their proceedings have been successful, and the cause appears to be going on prosperously, Mr. Hyman having retained several eminent Counsellors to conduct his suit. Since the judicious appointment of the Committee, the *Jews generally* feel Mr. Hyman's cause to be their own; and with *very few exceptions* are desirous of its success. A few individuals look on, and witness the exertions of the Committee, with emotions that would be gratified by their discomfiture;—such are the ill will and envy that superiority often engenders. The contributions are intended to support the Jews in applying to the Legislature, in the event of Mr. Hyman's not succeeding; although in my humble opinion he cannot fail. It is a painful task, to find fault with men because they are of different opinions from ourselves, but those persons who have refused to contribute in aid of this measure, evidently dissent from the prevalent opinion of the Nation.—Should the cause be gained, *they* will be solitary mourners in the midst of the general rejoicing; *they* will wear the face of sadness, while the countenances of others will glisten with joy, and be animated with the most brilliant hopes. Yet, such is the justice of the British Laws, that these Dissenters will participate in the benefits they have derided.

THE opposition which this undertaking has met with from those who will be the most benefited by its success, is truly wonderful. A circumstance has this day transpired, which will absolutely convince you of the determined opposition of some of the Jewish Vestrymen. When the question was put in Vestry, viz. "Whether they should undertake the conducting the cause, as requested by the Committee in behalf of the Jews generally;"—only one Vestryman voted in its favour, and they sent to the Committee the letter given in page 32. This letter had a contrary effect to what the Vestry expected, for it served only to exasperate the injured feelings of their Constituents.—It certainly seems probable that the Vestry thought by their refusing to act, the matter would have been set at rest; but, as I before stated, the fact was directly the reverse; and on the Committee applying to the Vestrymen in aid of the subscription, finding that the former were determined to continue the measure, they all but four contributed handsomely. These four members of the Vestry, refused to contribute on the grounds, that "*as they voted against supporting the cause in Vestry, they could not compromise their votes.*" This was undoubtedly a reason for not contributing in support of the general cause, and their own rights; but what reason can be given for their attempts to injure the rights of others?—for at the next meeting of the Vestry, a member, *more sensibly alive to the responsibility of his situation, and no doubt of the reproach cast on his parsimonious conduct, by the liberality of his colleagues, proposed a vote of censure, on those members who had put down their names to the subscription.* This proposal was

received with strong marks of indignation, and I am happy to state, that this *liberal-minded Gentleman*, lost his motion by *a great majority*, nor would they suffer it to be recorded on their minutes ;—which in my opinion was as great an error as they could commit. They should have suffered it to appear on their minutes, *as a lasting monument of the liberal proposer*. This clearly proves to you, that many pertinaciously adhere to their measures, though manifestly erroneous ; such is the imperfection of our nature, that when a wrong is done intentionally, or accidentally, a second wrong is frequently added in confirmation of the first, if complaint is made or clamour heard.

I WILL allow that there appears on the first view, something very like inconsistency on the part of those Vestrymen who contributed ; but they have explained by declaring, that though they voted against the cause being conducted by them *as a Body*, yet they never intended to refuse their pecuniary assistance, should it be conducted by others. This excuse is the best that could be devised, and, for the honour of the Jewish Nation, I wish *all* had united in it.

I am, my dear Sir,

Your respectful obedient Servant.

LETTER IX.

Kingston, Jamaica, Sept. 20th, 1820.

MY DEAR SIR,

SINCE my last letter, the action instituted by Mr. Hyman against the Sheriff for refusing his vote, has been legally commenced. The Jews await the result with silent but sanguine anticipation, grounded on the justice and equity of this appeal to the laws of their country.

THE contributions to this period amount to nearly £500. * You will, no doubt, be gratified to hear that all your friends have liberally contributed.

I CANNOT forbear to make you acquainted with the conduct of a man, who, after subscribing his name for a trifling sum, when applied to for payment, directed that his name should be withdrawn from the list, declaring, "*that no possible good could result from gaining this privilege,*" with other sentiments inimical to the cause, but expressed with an arrogance such as if he were gifted with the knowledge of futurity. "I shall however refrain from breaking this Butterfly on the wheel." Any man of the least information, must be aware of the benefits that will be derived from the enjoyment of the Elective Franchise. "In

* A sum sufficient to answer the purposes contemplated in this Island.

England, where the people do not debate in a collective body, but by representation, the exercise of this right, consists in the choice of Representatives ;" and in the discretionary exercise of that choice, such men are delegated as will zealously watch over and protect the laws, liberties, and properties of their Constituents. When the Jews obtain this privilege, it will afford them the best security against the recurrence of evils experienced by them until very lately ; it will tend much to remove the odious contempt which the illiterate and prejudiced evince towards them ; they will be placed on a more respectable footing in the scale of Society, because they will, to a certain limitation, become members of the state. Their future advancement, as to their political and moral situation, depends on their own exertions. The few Jews who have no desire for the privilege which their Brethren are seeking, certainly possess an inanity of intellect, beyond any thing you can imagine. Their inability to discern the benefits that may and must accrue from it, can only arise from the want of proper education. And I may be here permitted to remind parents, whose circumstances can afford it, of the urgent obligation under which they are placed, of giving their offspring the opportunity of acquiring that information, that will enable them to take enlarged and liberal views of their proper interest ;—to feel the degradation of their present condition ;—and to concentrate all their energies in the measures necessary to remove it. Liberal education is, like mercy, as described by the immortal bard, twice blessed—

" It blesseth him that gives and him that takes ;

" It droppeth, as the gentle dew, from heaven

" Upon the earth beneath——"

LET none, upon whom the education of youth depends, on any account neglect this paramount duty.

THUS far I have been particular ; I hope not too much so, considering the interest we both feel, respecting the success of the Jews. After what has been detailed, very few will be inclined to doubt their right of voting, conformably to the Election Laws. The time approaches when the question will be decided, in the Supreme Court of Judicature, and I am fully persuaded that Mr. Hyman will obtain redress for the refusal of his right ; for I am persuaded that in no part of the world is there a dispenser of justice and law more pre-eminent than the gentleman who presides over the Courts of this Island.

MR. Hyman considers himself injured and insulted by the refusal of his Suffrage. He now appeals for redress commensurate to the public insult and violation of the law. He commences his action against the Sheriff for refusing to equalize him with other lawful freeholders. Had he not pursued this line of conduct, it would have become a perpetual precedent to future returning officers.

MR. Hyman, in this enterprize, has happily met with men who have honestly discharged their duty, and will continue to do so throughout every stage at which it may be necessary for them to act with him in this measure. The distinguished forensic abilities of his advocates will, I hope, incontestibly prove to that grand palladium of Liberty, a British Jury, that their client has been denied the prerogative of a freeholder, to which he was entitled.

THE degradation of Englishmen, because they are not Christians, can never be contemplated with any degree of satisfaction. There are many sects in the Mother Country, and it would ill become the enlightened policy of England to persecute and degrade her natural born subjects, on account of their being Jews, or Catholics. Banish the idea !!!

THE reign of bigotry and superstition is over ; nor can they ever return to this Island. There is no fear of falling back in the folly and severity of the year 1750. The attempt of the Jew is praise-worthy, and I believe the general feeling among Christians to be, that great and lasting advantage must be found in acknowledging and practising—what is just, legal and wise. The Jews, therefore, have nothing to fear ; but patiently await the issue of their demand, the result of which will in due course be made known to you. I am,

My dear Sir,

Your respectful obedient Servant.

LETTER X.

Kingston, Jamaica, October 2d, 1820.

MY DEAR SIR,

THIS is the first day of sitting of the Supreme Court of Judicature, which generally holds its meetings at Spanish Town for three weeks. It is supposed the Trial, "*Hyman v. Geoghegan*," will take place during the last week. I expect there will be no obstacle to its proceedings, as both parties are looking anxiously to the result. My next letter to you shall contain the Trial; should the Jews obtain the right they seek, it shall be the last you shall receive from me on this subject; but should it be determined against them, I shall continue to inform you of the proceedings, which will (in such an event) be adopted in demanding their rights, from the high authorities of the Island.

I HAVE again turned to your letter, in which you advise the publication of this correspondence, as containing a full and fair view of the circumstances attending this demand of the Jews. I concur with you, that a correct and impartial account of the same, will not be uninteresting to the Jews, whether they do or do not succeed. It will shew to the world that there are men among them who are sensible of the prejudices under which they labour, on account of their religion; it will prove, that notwithstanding the op-

position they have met with, from those who are unfriendly to their cause, still they feel, and know themselves to be Englishmen, and therefore demand *the rights of Englishmen*. I only regret that some more able pen than mine has not undertaken this task, I am unable to do it the justice that it deserves, tho' I have endeavoured to render it as worthy of public acceptance as my humble abilities will permit, by paying the strictest regard to the veracity of my communications.

I AM happy to inform you, (though by this time you may be aware of it, through the medium of the public prints,) that Jamaica is not the only place, where the Jews are seeking to establish further privileges for themselves. In the island of Barbadoes they have obtained from their Legislature, a Bill that gives them the right of taxation to support their own poor. The Bill was brought forward by John Branford Lane, Esq. a gentleman to whom the highest praise is due for his philanthropy, in being the first to step forward in meliorating the condition of his fellow subjects.—His speech on the commitment of the Bill is replete with the noblest sentiments, and I give you some extracts from it, that will no doubt be pleasing.

“THIS Bill, Sir, in none of its features is repugnant to the
 “Toleration Act, nor is it in the least incompatible with the principles of Judaism. In confirmation of the latter assertion,
 “there is the opinion of the two Chief Rabbies in London; and
 “its being brought forward and countenanced by enlightened
 “men of the Hebrew Nation, who are jealous of their honor and
 “tenacious of their Religion, must surely give an additional
 “weight to that opinion. Its desideratum is to enable a Vestry
 “of the Hebrew Nation to enforce the payment of Assessments

“to be imposed by that Body, not self created, but to be constituted upon the pure principles of taxation ; for the persons who lay the taxes will annually be elected to that office, and be subject to the controul and alteration of the majority assembled.”—“And for whose benefit and for what purpose is the sacred deposit to be made ? For the advantage, Sir, of the distressed widow, the helpless orphan, and the indigent, whether local or wandering, none of whom can appeal in vain to this Sanctuary of Charity, unless its guardians violate the first principles of the Mosaic law.”—“The poor of the Jewish Nation cannot look to any other source for succour but their own people ; none but that being open to them.”—Mr. Lane, speaking of the Jews of this Island, says, “The Jews here, do not possess the Elective Franchise, but in England the suffrages of those under the class of Denizens are received, and there are also instances in which they have been associated with persons of the Christian faith in the performance of civil duties. Their claims to our legislative protection cannot be disputed ; nor can we justly refuse to accede to their present application, proceeding from such laudable motives.”

“In no part of the world will you find, Sir, in the same number of this ancient people, so many respectable persons as there are in this community. We see them living as good subjects, and readily complying with the requisitions made on them in common with their fellow-citizens. We behold them worshipping the Creator of the universe, and conforming to the principles of that religion which was transmitted by their forefathers to the present generation of Jews, from the distant period of its promulgation ; and no matter, Sir, in what place, language, or form, the sincere prayers of fallible mortals are offered up to Heaven, they equally reach the Throne of Grace, and are equally heard by the Omnipotent Being, who looks with an impartial eye on all his creatures. Christianity breathes love, peace, and good will to all mankind, and he who dislikes another for not being a Christian, is himself not a Christian.”—I have only to say to every Legislator, “Go AND DO THOU LIKEWISE.”

THE House of Assembly of Barbadoes, appears to be composed of very enlightened men, and taking its average number compared with that of the House of Commons, it may boast of having an equal share of talent.

A BILL similar to that of Mr. Lane just mentioned, had been attempted in this Island some years past, but it met with great opposition. Some few wealthy Jews, who did not contribute by any means with a liberality proportional to their fortune, exerted all the influence they possessed against it, and the Bill on the second reading, fell to the ground.

It must be grateful to the feelings of the Jews, to find, that their long degraded situation will shortly become the subject of Legislative Inquiry in England. John Cam Hobhouse, Esq. the Member for Westminster, gave notice in the last session of Parliament, that he would early in the next, lay before the country the hardships under which that class of his Majesty's subjects labour; thereby evincing a spirit, resolution and impartiality, that no slave to a Faction could manifest. Much is expected from this circumstance. I hope that in this enlightened age, he will succeed in his honest and well meant endeavours, to extend that liberty which he so highly prizes, to this ancient people, who have been too long viewed through the medium of prejudice; and that they will yet be considered as the free denizens of the country which gave them birth, the honor and glory of which, they have always contributed to support.

I am, my dear Sir,
Your respectful, obedient Servant.

LETTER XI.

Kingston, Jamaica, October 17th, 1820.

MY DEAR SIR,

I WENT to Spanish Town this day, with the hope of hearing the decision of the Court on Mr Hyman's cause against the returning officer. A number of persons, both Jews and Christians, from this City, were present, whom curiosity, or interest, had collected together for the same purpose.

AT ten minutes before 11 o'clock, the cause "Hyman *qui tam* against Jos. S. Geoghegan, Deputy Marshall," was called. The defendant's Counsel succeeded in putting off the trial, by tendering affidavits of materiality, which were allowed by the Court. A note of this circumstance was taken by the Chief Justice at the request of the plaintiff's Counsel. This cause, so important to the Jews, stands over until the next Court, which will be held in February next; when it will, to a certainty, be decided.

THERE are various opinions circulated in consequence of the defendant having put off the trial. I shall not trouble you with any other but my own; to me it appears, as if the Deputy Marshalls were trembling for the result, a host of them having been summoned as evidence, in support of their Colleague's

cause ; though what use they may be of to it, no one can divine, unless it be to state what every one knows, that it has not been customary to accept of the votes of Jews ; and for the best possible reason, because *the Jews for these fifty years past have never attempted to offer their votes.* It never for a moment can enter the breast of any man, to suppose that custom is to supersede the law of the land ; and I have the strongest hope that it will be so decided by a British Court and Jury.

ACCORDING to our laws, the Jurors are Judges of the law as well as of the fact ; and it must be by the unanimous decision of Twelve Jurors, their countrymen, (though not of the same religious belief,) that the Jews can be deprived of this right. It is to be hoped, that in a British country where the Trial by Jury forms the basis of public Liberty, that the laws were made for the glory and happiness of *all classes* alike ; and that those who pride themselves on their own privileges, will ever be slow to deprive others, particularly Englishmen, of theirs, when the laws of the land are in their favour.

It has been asserted, that the opinion of Sir William Blackstone, one of the greatest lawyers of the age in which he lived, is against them, as he states, in *libre 4, page 5, on the laws of England*, that “ in order the better to secure the Established Church against perils from non-conformists of all denominations, Infidels, Turks, Jews, Hereticks, Papists and Sectaries, there are two bulwarks erected, called the Corporation and Test Acts, by which no person can be legally ELECTED to any office relating

“ to the Government of any City and Corporation,
 “ unless, within a twelvemonth before, he has received
 “ the Sacrament of the Lord’s Supper, according to
 “ the rites of the Church of England.”

THE assertion is incorrect. The above remark of Sir William Blackstone applies only to non-conformists *being* ELECTED to offices relating to the *Government of any City or Corporation* ; but were it even to relate to offices under Government itself, it would not disqualify them from *voting for persons properly qualified to hold offices or be returned as representatives* ; though it might disqualify *them* from being *returned* either for one or the other. Now, it is well known, nay ’tis notorious, that non-conformists, papists, &c. do vote on all occasions for the return of Members to the Assembly. Surely, then, the Jews have as good a right to give their suffrage as any of the former. But other law authorities have been produced where the Established or Christian Protestant Religion is said to be the law of the land, and that no person possesses the right of being *returned* as a representative unless he professes the Established Religion. This doctrine is as futile as the former ; both having been done away by the Act of Parliament which allows Unitarians to occupy seats in the House of Commons ; and I believe no one will assert, that Unitarianism is the Established Religion.

THERE are no laws at present that can operate against the Jews in their right of voting ; nor have I reason to suppose that in this enlightened age, any will ever *exist* ; yet should there be such a thing in agitation, and should such *party law* be promulgated

against any portion of his Majesty's subjects, it will prove that the Jews have acted with judgment in coming forward as they have. It will, in the present cause, ensure a verdict in their favour; for no law can take cognisance of circumstances which may have taken place before its enactment. I have also very strong doubts whether the Executive Government would ever consent to a party law.

THE new Assembly has been summoned to meet on the 31st of this month. I cannot help thinking, when most nations are united in extending their privileges to this long persecuted people, and when it will shortly be made the subject of parliamentary enquiry in Great Britain, that the greatest honour the house can do its members and to their country, will be to confirm to the natural-born Jews, the rights to which every Englishman is justly entitled. May my thoughts on the subject be prophetic? May the Legislature of the Island of Jamaica be among the first to step forward in this philanthropic cause? The consciousness of having performed a just and noble action, will ever accompany them; their names will be handed down to posterity, and the lasting gratitude of a long suffering people, as well as of every good, liberal and enlightened man, will be due to them for the act.

I am, my dear Sir,

Your respectful obedient Servant.

LETTER XII.

Kingston, Jamaica, November 4th, 1820.

MY DEAR SIR,

I SHALL now give you the necessary information respecting the measures which have been adopted by the Colonial Assembly of this Island.— They met according to proclamation on the 31st ult. Scarcely had his Grace the Governor addressed them in the usual manner, when, on the following day, November 1st, Mr. John Crosman, a member for this City, called the attention of the House, to a petition which he presented from Mr. J. S. Geoghegan, the Deputy Marshall, the substance of which was, “that “in conformity with a resolution of the Assembly of “1750,* and *customary usage*, he had rejected the “votes of certain persons of the Hebrew persuasion “at the last Election for Members of Assembly for “Kingston; from which cause an action had been instituted against him by Mr. Levi Hyman. That he “had incurred considerable expense, and was likely “to incur more. He therefore prayed the House to “grant him relief.” This novel petition was referred to a Committee of the House the same day, and on the next, Mr. Crosman, from the Committee, reported that the allegations in the petition were true, and recommended that Mr. Geoghegan should be indemnified

* He did not pretend to say that it was conformably to Law.

by the House against all *costs and expenses* attending the action which Mr. Hyman had instituted against him. The report was agreed to after some few remarks from several Members, who thought it would have been more proper and regular to ask for relief, *in the event of the action going against the returning officer.*

THE country, however, is now put to the expense of supporting Mr. Geoghegan in this law suit. On the same day Mr. Crosman stated, that "he thought it "would be proper that the House should repeal the "18th clause of the 21st George the 3d, which lays a "penalty of five hundred pounds and twelve months "imprisonment on the returning officer, for refusing a "legal vote, and that he held in his hand a Bill to re- "peal the clause he complained of." The Bill was then read. On the 2d it was read a second time and ordered to be engrossed; and so quickly has this Bill been hurried through the House, that the same day the question was put, whether the Bill should pass?— There was a trifling opposition, on the part of some of the Members, one of whom stated with great judgment, that the original Bill had been framed 40 years ago, and that the 18th clause was considered a *protecting clause to all Freeholders legally qualified.*— On a division taking place, a majority of 28 to 3 decided in favour of Mr Crosman's Bill. With equal celerity has the Council passed the Bill; and it has *already* received the assent of the Governor; leaving a power in the hands of the returning officers, hitherto unprecedented. They may now receive or reject the votes of *either Christians or Jews*, according to *their* own pleasure. Should it so happen that any of these

officers should reject the vote of a qualified Freeholder, from *bribery, corruption, or any other cause*, he will escape punishment; as by the repeal of the 18th clause, *none can be awarded against him*. In short, it leaves the power of forming a *House of Assembly* in the hands of the *returning officers*. When the Bill for repealing this clause was first presented, it was observed by a Member, that it did not do away with whatever right the Jews may have to vote; and that they might either come to that House by petition, or bring the subject before a Court of Law. It certainly does not do away with the right that the Jews or any other portion of his Majesty's subjects may have to vote; but of what use will it be to go to a Court of Law, when this Bill puts it out of the power of that Court of Law to grant redress, *by punishing the returning officer as he deserves, for depriving a Freeholder of his Franchise*. The only resource now left, is an application to the House of Assembly; and what punishment they can inflict upon him, I cannot at present determine.

THE Jews will shortly have another opportunity of offering their votes, the death of Mr. Jno. Campbell having left a vacancy in the representation of this City. The Writ of Election has been issued for the 7th. I am certain that they will again avail themselves of the opportunity to offer their suffrages, and I am equally certain that the returning officer will reject their votes, particularly now that he can do so with impunity. I would advise those freeholders who may be rejected, to wait the result of the action now pending over the head of Mr. Returning Officer, and then act according to circumstances.

THE repeal of the 18th clause makes no alteration in the original Election Law. It only takes away the punishment that a returning officer would otherwise have been subject to, for refusing the legal vote of *any Freeholder*.

THE action against Mr. Geohegan will be decided under the original law ; the refusal to accept Mr. Hyman's vote having taken place when the 18th clause was in full force. I must observe, that many are of opinion that the returning officer will be cast in this acting. If so, (and most sincerely do I hope he will), the Jews may with the greatest justice and propriety be termed, what they now consider themselves, *Legally Qualified Freeholders* ; they will then be able to say that the laws of their country have recognised them as such, and the question will be set at rest.

I WILL suppose, for argument's sake, that Mr Hyman will be worsted ; but even in that case, they will have as much right as ever to the right they claim ; because the Election Laws will continue the same, and it is to them the Jews appeal. They should come forward at the next Session of Assembly, and demand to be put on a footing with the rest of their fellow Freeholders *according to the Law*. How their demand may be received, it does not become me to anticipate. Party Laws will now be promulgated against Jews, as Jews ; but I hope that the House of Assembly will confirm the privilege, should they be applied to ; it will be only acting conformably to their own laws, and establishing the acts of the British Parliament in favour of that Nation.

November 7th, 1820.

I POSTPONED closing my letter until this day, for the purpose of forwarding you further information. Several Jews tendered their votes at the hustings, and were again refused by the returning officer. That he shall take upon himself to interpret the law of the land and the acts of the British Parliament, and refuse the votes of lawful Freeholders because they are Jews, must be a matter of surprise and astonishment to all, particularly in this era, when in almost every state of civilized Europe, the difference of religious opinions is not considered as ground of civil disabilities. But how much greater will this surprise and astonishment be, when it is known, that now, *no punishment can be awarded against the returning officers of Jamaica for depriving British Subjects of their Rights !!!*—I will contend as long as I have life, that the existing laws in this Island are favourable to the Jews ; nor will I cease to declare it, until the Jews are confirmed in their rights, or until disqualifying laws are produced against them.

I am, my dear Sir,

Your respectful obedient Servant.

LETTER XIII.

Kingston, Jamaica, February 28th, 1821.

MY DEAR SIR,

AFTER a silence of three months, during which time nothing particular has transpired, I address you for the purpose of transmitting you an account of the action brought against Mr. Geoghegan for refusing Mr. Hyman's vote. With regret I state it, the result was far different from what was anticipated by every reasonable and tolerant mind. Of this you will be convinced on perusing the account of the Trial, which, I think I may say without vanity, I have taken down as correctly as it was possible for any person to do who is not a short-hand writer. It took place yesterday, in the Supreme Court, at Spanish Town, and began at 12 o'clock precisely.

COURT.

Assistant Judge POWNALL, MR. CHIEF JUSTICE,

Assistant Judge MILLS.

Names of the Jurymen.

ISAAC HIGGIN, Foreman,

Kenneth M'Donald,	Edward Reeves,	Ralph Thomson,
Peter Patie,	John Palmer,	William Templeton,
John Wilson,	George Russell,	and
Benjamin Pierce,	William Capper,	Wm. Terre Longe.

Counsel for Plaintiff, W. A. SCARLET, and HUGO JAMES, ESQRS.

Counsel for Defendant, Mr. ATTY. GEN. BURGE, and

— HEATH, ESQ.

Mr. James opened the pleadings by stating, that this was an action brought by Levi Hyman, Esq. of the City of Kingston, against S. J. Geoghegan, Esq. returning officer of the same place, for the refusal of his vote at an Election held in Kingston on the 5th July 1820. The Learned Gentleman stated, that he would prove, that Mr. Geoghegan was the returning officer on that day; that the plaintiff had actually tendered his vote on that occasion, and that the defendant, Mr. Geoghegan, rejected the vote. He would also prove that Mr. Hyman was a qualified voter according to the law, and that his vote should have been received, as he was a legal and qualified Freeholder. He anticipated the defence on the part of the defendant, which he conceived would not be entitled to any weight. The other side might attempt to show that Mr. Hyman was not legally qualified to vote, because he was a Jew; but this could not be supported *by law, or by usage, in the Mother Country*, where their right had not been disputed; as he could undoubtedly prove that Jews in England, who were legally qualified, possessed that privilege. He was certain that no law could be produced which stated that Jews should not be entitled to vote. The learned counsel then adverted to the resolutions of a branch of the Legislature passed in 1750, and submitted that they could have no avail against the Jews. He justly deprecated the resolutions, as disgraceful to those who produced them. He exhorted the Jury to divest themselves of prejudice, and stated, that if he proved his case, which he undoubtedly could, he would be entitled to recover the penalty of £500, from the defendant, which was now sued for under the 18th clause of the Election Law. Mr. James again declared that he knew not of any

law which could operate against his client, and quoted Serjeant Heywood and other authority; to prove that there was no objection to the vote of a Jew legally qualified. Mr. James was proceeding to prove his case, when

Mr. Heath submitted, that the cause could not proceed; that he held in his hand, an Act of the Island which repealed the 18th clause of the Election Laws, which act would prove the incapability of Mr. Hyman, or any other person to bring a *qui tam* action, because it repealed the only clause which went to punish the returning officer, and that to proceed in this cause, there must be an act or clause to allow him to proceed, or reserving his right to go on with this action.

The counsel read the act, and submitted, that, as there was no such reservation, a non-suit must take place.

Mr. James, in reply, observed, that the repeal of a law can only have a prospective, but not a retrospective effect. A right has been vested by a law, which an after repeal does not do away with; and cited the case of *Gilmore v. Shuter*, which shewed that an Act cannot have a retrospective effect. Several other cases were produced, particularly *Couch v. Jeffra's*, which completely controverted the doctrine advanced on the other side. He insisted, that it could never be the intention of the legislature to do such an injustice as to repeal a law to prevent crimes being punished which were committed before such repeal, and therefore contended that he had a right to go on.

MR. Scarlett followed on the same side ; he observed, that if the objection was allowed to prevail, it would be an injustice to his client, who brought this action under an act of this Island, which was then in full force, and that Mr. Hyman was ready to go on with this Trial in October last, before the clause alluded to was repealed ; he therefore supported the opinion of Mr. James, that the Trial ought to proceed.

MR. Attorney-General, on the other side, supported the objection at some length, observing that Mr. Hyman must have the right to prosecute as well as to vote. If the right to bring an action against the returning officer is gone, which is the case by the repeal of the 18th clause, Mr. Hyman can have no right to sue the returning officer for the penalty of £500, as expressed in that clause. The Legislature having done away with that part of the act, the foundation of this cause is gone, and therefore it cannot proceed.

THE Court were of opinion that the repeal of the 18th clause could not prevent the present action, for they were not aware of any Law which enacted that those actions which had been commenced under a Law previous to its repeal should be annihilated, and that it never was the intention of the Legislature to do away with causes already under prosecution ; otherwise it would be unjust, and impossible to execute the Laws, as for instance, the Annual Laws, which might expire whilst an action was pending. A prosecution once begun, must go on.

THE Court therefore overruled the objection.

Mr. Heath then offered another objection. He observed that the Venue was laid in the County of Surrey, and the complaint made in the County of Middlesex, and contended that the cause must be tried in the County where the offence was committed, and before a Jury of that County.

MESSRS. Scarlett and James severally answered this objection. The 18th clause in the Election Law was again read, which expressly declares, that the cause shall be tried in the Supreme Court. The Court were of the same opinion, and overruled this objection also.

Mr. Heath tendered bills of exceptions on those two points.

Mr. Myer C. Belinfante was called and sworn. The witness proved, that he was in the Court House on the day of election; that he saw Mr. Hyman tender his vote, and that Mr. Geoghegan, the returning officer, refused to receive the same.

Cross-examined by Mr. Heath.

WITNESS did not know if Mr. Hyman was a British born subject, nor did he know where Mr. Hyman was born; he knew Mr. Hyman to be a Jew.

THE Books of the City and Parish of Kingston, and others from the Office of Enrollments, were then put in and read, which proved Mr. Hyman's freehold to be regularly recorded according to Law. His freehold was from "Hill and others to Hyman" being

enrolled the 25th March, 1812, and in the Parish Registry of Freeholders, the 11th May. 1816.

AN attempt was made to produce as evidence, Mr. Alex. Cohen, to prove that he has on various occasions voted in England, which was overruled. Here the case was closed on the part of the plaintiff.

THE defendant's counsel did not call any witnesses, by which they were entitled to reply to the arguments of the plaintiff's counsel.

MR. Scarlett then addressed the Jury, and said, that as the counsel on the other side had not called any evidence, they were entitled to reply and to have the last word. The learned Gentleman then entered into the merits of the case ; he said he had proved Mr. Hyman to be a Freeholder, and that as the right of voting was in the Freeholders, his client's right could not be disputed. He challenged the other side to prove that Mr. Hyman was not a regular Freeholder, according to the qualification expressed in the law, repeating that he had proved Mr. Hyman to be legally qualified, for that there was no exception in the law to a Jew's voting ; and consequently Mr. Hyman though a Jew, was lawfully entitled to vote. He would prove to the Jury, that the Jews had voted at Elections in this Island many years ago, and if the law was ever intended to act against *them*, it would have disqualified them in the same manner as it disqualified *mulattoes*. He then went through the history of the Jews in England, in a neat and concise manner, from the time of William the Conqueror to the present reign, and afterwards adverted to their history in this Island from the year

1688, and deprecated the oppression under which they laboured in those dark ages, when additional taxes were laid on them on account of their religion, and proceeded to the present enlightened era, when, he was happy to say, they are regarded by Christians as their brethren. The learned advocate then stated, that in the year 1702, information was laid before the Assembly that certain Jews and Mulattoes had voted at an Election; no notice was taken of it at that time. In the year 1707 a motion was made in the Assembly to deprive Jews, Mulattoes, and Negroes, from voting; no Bill was brought in then, but in the year 1733 an exception was made against *Mulattoes*, but none against the *Jews*. He particularly called the attention of the Jury to this point; he himself had travelled over the Bill, which he had sought for, and found in the Secretary's office. He assured the Jury, no objection was made to Jews in the Bill, and if the House at that time intended to deprive them of the right of Franchise, they would without doubt have stated it in the act, as they had done respecting the Mulattoes.

THE inference to be drawn from the act was, that the Jews who were regular qualified Freeholders were privileged, and fully entitled to the right. He submitted these circumstances to the Jury with confidence, and defied the learned counsel on the other side to show a law which stated, that a Jew Freeholder should not be entitled to the privilege of voting.

THE learned counsel concluded by expressing his hopes that the Jury would find a verdict in his favour.

It is impossible to do justice to the learning and eloquence of this enlightened advocate, as it is to follow him in every point of the defence, in this case.—Indeed, I only profess to give you the heads and the most prominent points, as they succeeded each other for and against.

At the conclusion of Mr. Scarlet's address, Mr. Attorney General rose. He began by requesting the Jury to be careful in giving their verdict, which he anticipated would be, under the direction of the Learned Judge, in his favour. He said that it involved a question of great magnitude, and it might visit with a heavy fine and imprisonment, the returning officer who refused the vote—a vote which he was justifiable in refusing, Mr. Hyman being a Jew. He deprecated the idea of throwing any reflections on persons, but he would state, that although Jews were Freeholders, they were not entitled to vote for members of Assembly; if they were, they would also be entitled to vote at Vestries, for Vestrymen, and thereby interfere with the religion of the country. He went over the arguments of the counsel for the other side, and exhorted the Jury to say, if Mr. Hyman was a qualified Freeholder, whether his being a Jew did not do away with the right to vote? Since the Legislature had not recognised their right, he concluded they were not entitled to vote at all, and prayed the instruction of the Court, to the Jury on this occasion; in which the counsel for plaintiff concurred.

MR. Chief Justice summed up the case with his usual perspicuity. He said, "That the only question was, whether Hyman had, or had not the legal right

to vote? The plaintiff rested his case on the assertion that he had the right, the defendant that he had not. He alluded to the case cited by counsel in Sergeant Heywood; that could only be considered as the opinion of Mr. Heywood, and not as law; at all events, this case is not to be determined on what may be the law in England, but by our own laws.

THE laws of the Island have not mentioned any thing respecting the right of the Jews to vote, and their silence may be construed one way or the other. The persuasion was at variance with the religion of the realm; but the clause in the Election Law, which disqualified Mulattoes, stated, that those who were in the 4th degree removed, may be allowed to vote, provided they profess the *Christian Religion*; from which the learned judge inferred, that if such descendant was of the Jewish persuasion he would not be entitled to vote. The Court were therefore of opinion, that Mr. Hyman being a Jew, he was not entitled to vote, and directed the Jury to find for the defendant. The Jury, under the direction of the Court, found a Verdict for the defendant, without quitting the Box. The trial lasted four hours and a half.

THE experience of the learned counsel, Messrs. Scarlett and James, and the talents they displayed in the course of this proceeding, were of the first description, and the assiduity of Messrs. Strutt and King, the Solicitors, is beyond all praise. It must be cheering to the hearts of those who owe the defence of their cause to these Gentlemen, as well as to the eloquent exertions of their enlightened advocates, to see them thus maintaining their constitutional rights, although

they have not succeeded in obtaining a confirmation of those rights for them.

You have now the trial before you, and will no doubt form your own opinion on it; one thing, at least, it proves, that nothing short of a firm and unanimous effort on the part of the Jews, to remove the prejudices of their opponents, can ensure success. They must apply for the rights of Englishmen to higher authority.

There are, however, two points in this trial to which I beg to call your attention, as on a first reading they may appear to bear against the Jews, but when properly and maturely considered, are actually favourable to them. The first point, is the opinion of Mr. Attorney General, who says, that if they possess the right of Voting for Members of Assembly, they would also be entitled to vote for Vestrymen, and thereby interfere with the established religion of the country. With submission to the opinion of this learned gentleman, this can never be the case; they never can possess the right of sitting as Vestrymen. The law will not permit any to serve in that capacity, unless they are of the protestant religion, and a Jew (any more than a Catholic or any other Dissenter) can never possess that right. Their own religion, as well as the laws of the country, will never suffer *such* an interference, and the mere *voting* for a Vestryman can never affect *the Established Religion*.

THE next point is respecting the opinion of the Court on the concluding clause of the Election Law, which is as follows :—

Clause 20th.

‘AND for the better ascertaining who shall be deemed Mulattoes within the intent and meaning of this act, Be it further enacted by the authority aforesaid, that no person who is not above three degrees removed in a lineal descent, from the negro ancestor exclusive, except such as are now, under any laws of this Island, entitled to vote at Elections, shall be allowed to vote or poll in Elections: and no one shall be deemed a Mulatto after the third generation, as aforesaid; but they shall have all the privileges and immunities of his Majesty’s white subjects of this Island, provided they are brought up in the Christian Religion.’

FROM this clause the Court drew the inference “that such descendants of a Mulatto would not be entitled to the privilege of voting, if they professed the Jewish faith, and therefore a *Jew* was not entitled to the right.” As it is no crime to differ from the opinion of Judges, however learned they may be, I take leave to differ from them in respect to this clause. Every person, who is the least conversant with Jamaica, well knows that not a single instance can be produced throughout the Island, of the descendant of a Mulatto, even as low as the 2nd degree removed, being a *Jew*, and therefore the Legislature of 1780 * could not at the time of making the law, have had the least idea of excluding from voting, a description of persons of which there were none to be found, and which I will be bold to say, never will be found in the Island. I will allow, that if there were such persons, the law would disqualify them; yet, the inference that a *Jew* is not entitled to vote under this clause is erroneous. The Legislature of 1780 well knew, that most of the

* The year in which the Election Law was framed.

description of persons whom they intended to *exclude* professed little, or no religion at all, at that time ; it was to encourage them to adopt a religion for themselves, and their descendants, that the Assembly made the proviso, and they could do no otherways, than to recommend their own, the Established Religion. That the clause was never intended to operate against Jews, or others who already professed a particular faith, is as plain as the sun, when it shines at noon day.

THE first sentence in the clause declares it to be "*for the better ascertaining who shall be deemed MULATTOES ;*" and the concluding sentence says, that "after the 3d generation they shall have all the privileges and immunities of his Majesty's WHITE Subjects," &c. and I verily believe the greatest sceptic will allow, that the *Jews* are a part of his Majesty's *White Subjects*.

ONE of the established principles of toleration is, that the Jews shall make no proselytes ; nor are they fond of making converts, even when urged to do so by an applicant. To prove this, I assure you, that six weeks ago a Christian actually applied to the Jewish Vestry to be received into their community ; to their honour, they refused to accept the party, unless he could first procure permission from the *constituted authorities*. The coloured children of Jews cannot be received into their community according to their laws, nor are their parents at all desirous of it ; such children are invariably brought up as Christians, and always profess the Established Religion.

Who then can agree with the doctrine, that any of "his Majesty's *white subjects*" shall be liable to the civil disability of sharing the Elective Franchise, because they are members of the Jewish religion, after reading the 20th clause? I say NONE; if otherwise, dissenters of every description, by the same rule, cannot be allowed to vote. Neither Socinians, Moravians, Arians, Unitarians, Millennarians, Baptists, Anabaptists, Methodists, Papists, Universalists, Calvinists, Nonjurors, Seceders, nor Quakers, profess the Established religion of the country. The creeds of most of these sects differ as much from the Protestant, as light from darkness, yet they are his Majesty's *white subjects*, and have hitherto been allowed to vote. Are the Jews ALONE to be deprived of this right? Such appears to be the case by the interpretation of the Law, and the decision in the cause of "Hyman against Geoghegan;" for Mr. Hyman, though a Jew, is one of his Majesty's *white subjects*, and was proved to possess a freehold regularly recorded according to Law.

DISSENTERS had better look to it. The Christian religion mentioned in the 20th clause is evidently meant to be the Protestant or Established Religion, and although *they* are, like the Jews, his Majesty's *white subjects*, yet by the decision in the above cause, they will be excluded from the right of Franchise, as they do not profess the Established Religion!!!—fie on such doctrine!—to higher authority must the Jews apply for redress, and most assuredly they will obtain it.

Do not the Jews pay taxes with as much alacrity as their protestant brethren? Do they not love and

revere their Sovereign with as much ardour? And would they not if called on, defend him * with as great courage as the most zealous protestant or dissenter in the realm? Why then should they *alone* be debarred from assisting to make those laws by which they are governed, or to assent to the taxes which they are called upon to contribute for the maintenance of the state? According to *Magna Charta and the Bill of Rights*, the Jews should possess this right equally with other natural born subjects. "There is not a single word in that Charter on which to establish an ascendancy, or a right to one part of the people over the other; on the contrary, the spirit, and even the letter of that celebrated declaration, are friendly to the rights of all. In the conclusion of this instrument, it is said, ALL the *liberties* asserted in this declaration, are the ancient and indubitable rights of THE PEOPLE of *this kingdom*." Here then we have an explicit avowal that the civil liberties demanded by the Jews were not meant exclusively for the members of the Established church, "but were the indubitable rights of the WHOLE NATION."

THE Jews should not relax in their endeavours to obtain redress of their grievances, by all legal and constitutional means. Their cause is good, and their country cannot always be deaf to their representations; but to insure success, they must be guided by a strict adherence to straight forward measures, and act with UNANIMITY.

I SHALL be happy to see the adoption of such mea-

* Indeed must they not? or otherwise be subject to the just punishment due to traitors.

tures in all subsequent undertakings, as will at last free them from the civil chains with which they are bound. The time is not far distant, when such a system of Legislation will be adopted as will produce happiness and contentment to *every* British subject.

I am, my dear Sir,

Your respectful and obedient Servant.

LETTER XIV.

Kingston, Jamaica, December 1st, 1821.

MY DEAR SIR,

THE labours of the Committee have ceased, in consequence of the refusal of the Jewish Vestry to support their people in proceeding further with this measure. As far as the Committee have been concerned, they have conducted themselves like upright men, and to the satisfaction of those by whom they were appointed. It now becomes an only remaining duty to state to you in what manner they have been compelled, by the pusillanimity and neglect of their Vestry, to put a stop to all further proceedings.

At a meeting of the Committee which took place after the loss of Mr. Hyman's trial, it was determined by a majority, that a second application should be made to the Vestry, requesting them to take the lead in presenting a petition to the Honourable House of Assembly, justly conceiving that a petition presented and backed by the principal and governing members of the Nation, would have a greater effect than one presented by private individuals.

THE following Letter, enclosing the draft of a petition to the House, in behalf of the Jewish Nation, was then submitted to the Committee by one of its

members, and approved of. It was then forwarded to the Vestry.

" TO THE WARDENS AND VESTRYMEN OF THE JEWISH
SYNAGOGUE.

" GENTLEMEN,

" THE decision against Mr. Levi Hyman in the cause which he had instituted against the returning officer for refusing his vote, renders it necessary that we should again address you, to crave your co-operation and assistance in supporting our Nation in its demand for redress.

" THE loss of Mr. Levi Hyman's cause is a national one. Yourselves, as well as your constituents, are thereby deprived of a right possessed by the Freeholders of every religion, excepting our own. We therefore feel it to be our duty to convince the majority of the Nation who have appointed us to conduct this cause, that *we* have left no means untried, by which we could hope for success, and that *we* have used our utmost efforts in propelling this measure for the benefit of all concerned.

" WE now take the liberty of laying before you a short abstract of our proceedings, since we last had the honour of communicating with you ; and though we then had not the success that we anticipated and hoped for, we trust, notwithstanding, that the present application will be more successful.

" OUR collections received from individuals amounts to £447. Among the Subscribers, we reckon the majority of your respectable Board. As we considered Mr. Hyman's cause the cause of the Nation, the expences of the law suit have been tendered to him, and accepted, leaving a balance in hand of £233, 8s. 3d. ; a sum fully sufficient to answer the future purposes contemplated on this Island. It has been suggested by our legal advisers, that a petition to the Honourable House of Assembly, couched in moderate and respectful language, might meet with success ; we think it a duty incumbent on us to try it, and crave your assist-

ance in its support. We have enclosed the draft of the same for your perusal, subjecting it to any alteration you may suggest for its amendment.

“WE confidently hope that our Representatives will not damp the rising ardour of the Nation in this its only remaining resource in this Island; particularly as most of those who formerly opposed the measure, are now friendly to it. Should you please to undertake the same, and suffer the petition to be presented under your auspices, our Treasurer will have directions, to pay into the hands of the person you may appoint, the balance of the money now in his possession, provided it be your wish to take the lead on the occasion. Should you wish the conducting of it still to remain with us, we firmly persuade ourselves, you will support the petition with *your signatures*, as there cannot be a doubt, and indeed we are convinced, that the success of it will greatly depend on the respectability and number of the persons signing, and that your names, as the Representatives and Elders of the Nation, will be of the utmost benefit, and give the greatest effect to the petition.

“GENTLEMEN—The Nation again looks up to you for support—Turn not a deaf ear to its call.—That you balk not its expectations, is our sincere prayer. With every demonstration of respect,

“We are, Gentlemen,

“Your most obedient and very humble Servants,

Signed,	“B. L. ALVES, “JS. DELGADO, “M. BELINFANTE, “M. DELGADO,	} Committee.
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“Kingston, April, 1821.”

" DRAFT OF THE PETITION ENCLOSED IN THE ABOVE.

" The Petition of the Members of the Jewish Nation to the Honourable House of Assembly.

" MOST HUMBLY SHEWETH,

" THAT at a General Election for Representatives to serve in your Honourable House, for the City and Parish of Kingston, on the 5th July, 1820, Levi Hyman, a considerable freeholder in that parish, and one of your petitioners' persuasion, apprehending he had a right to vote according to the present laws, offered to poll for John Campbell and John Crosman, Esqrs. two of the candidates at said election; but he was refused so to do, by the Returning Officer, although he tendered his freehold title, and offered to comply with the act of the Island, made and provided for that purpose

" YOUR petitioners most humbly beg leave to inform your Honourable House, that the said Levi Hyman, conceiving that he was as justly entitled to the right of Elective Franchise under the laws of this Island, as any other of his Majesty's liege subjects—did apply to the Laws of the Country for redress, against the Returning Officer for refusing his vote, by suing him in his Majesty's Grand Court, which suit terminated against the said Levi Hyman on account of his being a Jew.

" YOUR petitioners most humbly further crave leave to observe to your Honourable House, that the said Levi Hyman, offering to vote, was with their knowledge and privity, as your petitioners conceived that the freeholders of their body, regularly qualified, were justly entitled to vote in common with all the rest of his Majesty's subjects, who are qualified freeholders.

" THAT your petitioners are well known to profess no opinions that are destructive to civil society, or prejudicial to the laws of their country, but have ever manifested an unalterable attachment to their King and Country, and have ever shewn a dutiful obedience to all the acts of the Government.

"YOUR petitioners do further beg leave most confidently to state, that the freeholders of their persuasion who are regularly qualified in England, do vote for the return of Members to the British House of Commons, as would have been proved at the trial brought by Levi Hyman in the Grand Court, but that he was not permitted to examine evidence on that subject.

"YOUR petitioners have always with the greatest alacrity, most cheerfully and largely contributed to the exigencies of the state on all occasions, and conceive it hard that they should be deprived of the rights of Elective Franchise, when dissenters of all denominations are allowed this darling privilege, in common with their protestant brethren.

"THAT your petitioners do must humbly represent to your Honourable House, that the persons professing their most ancient faith, do not now, as formerly, confine themselves to the investing their funds in personal property, but, by their industry, have become possessed of large and extensive properties in land, which properties, they humbly conceive, do entitle them to such privileges and immunities as they are thus soliciting, and which are possessed *in common*, by *every other class of his Majesty's subjects*.

"YOUR petitioners do therefore most humbly and sincerely pray, that your Hon. House will enquire into the truth of the allegations of your petitioners, and that your Honourable House will grant and confirm to them the rights of Elective Franchise, and such other relief as to your Honourable House may seem meet. Your petitioners also most humbly pray that they may be heard by themselves, or their counsel, in support of this right, as national born Subjects and Freeholders of this Island; and your petitioners will ever pray."

THE Committee ought not to incur blame, for having made a second application to their Vestry, although they had once before discarded them. The Committee considered it an imperious duty to conciliate all classes, and to use their utmost endeavours, to bring

the cause to a final issue. Unfortunately they have not succeeded, and I really believe, because the measures proposed did not originate with the Vestry.

At the succeeding Vestry meeting, the letter and petition were presented and read, but a final determination was postponed until the next meeting, which took place on the 4th June. Some of the enlightened were for rejecting them at once, (and this I actually believe would have been the case), had not Mr. Isaac David Feurtado, (a Gentleman just elected to a seat in the Vestry), with great propriety represented, "that the subject was of such magnitude, as not to warrant so hasty a dismissal;" he hinted at the benefit which would accrue to the Nation, in the event of success, and finally proposed that a Committee of the Vestry, consisting of three, should attend the general Committee, to inquire more fully into the nature of their wishes and demands. This proposal met with success; but from some unaccountable delay on their part, the meeting of the two Committees did not take place until October. Messrs. Is. Feurtado, E. Melhado, and Sn. Carvalho, formed the Vestry's Committee. After some discussion, Mr. Feurtado stated, that as the Vestry wished to be exonerated from any expense that might in future be incurred by proceeding in the measures proposed, should they concur in the wishes of the general Committee, he was instructed to put the following questions, viz.

- 1st. What would be the expenses of the petition, and presenting the same?
- 2d. Suppose the prayer of the petition should be granted, whether the legal advisers of the General Committee think, that the bill to be brought in, would be of a public or private nature?

3d. If by private bill, what would be the expense ?

4th. What are the present and future means of the General Committee ?

To answer these questions correctly required some time, which was asked for, and granted ; and at their next meeting the following answers were given :—

1st. The total expense of the petition, drawing, &c. £50.

2d. If the prayer thereof be granted, it was the opinion of the legal advisers that it would most probably be by public enactment.

3d. If by private bill, expense not above £180.

4th. The present means would answer every purpose contemplated ; the future would be made known more fully (if wanted) at a proper time.

THE above answers, the Committee stated, would be laid before the Board at the next meeting, which was most unaccountably procrastinated until the 25th of November *—and on the 27th, the following Letter was received by the General Committee :—

“ Kingston, 27th November, 1821.

“ TO B. L. ALVES, ESQ. AND THE GENTLEMEN DELEGATED
RELATIVE TO THE ELECTIVE FRANCHISE.

“ GENTLEMEN,

“ I WAS directed at a meeting of the Board of Adjuntos, held on the 25th inst. to acquaint you, that the final consideration of your communication relative to the right of Elective Franchise was then most fully entertained ; when the Board unanimously resolved, that as the season is too far advanced to carry your wishes into effect ; and being of opinion that the appearance of toleration in England is considerably improving, to recommend the postponement of such proceedings. I am, Gentlemen,

“ Your most obedient humble servant,

“ (Signed) DANIEL JACOBS, Secretary.”

* At that time, the House had already determined that they would not receive any business of a private nature.

FROM this letter it may be asserted truly, that those from whom the Jews expected most, have done the least.

THE Vestry having a second time discarded their constituents' cause, by throwing obstacles in their way repeatedly, the Committee have retired in disgust, and have actually come to the determination to return to the subscribers, the balance of the money in the hands of their Treasurer. Each subscriber will receive about one half of the original amount subscribed. By this time I have not a doubt but this arrangement is finally completed.

I SHALL now close my correspondence on this subject with a few remarks, though I fear they will be regarded, as only disparaging a subject, suited to a far abler pen than mine. Had the Vestry acted conformably to the wishes of the Jewish Nation, the cause would have been decided at the present meeting of the Assembly, and the matter set at rest *for this session* at least.

THE assertions, that the granting to the Jews the right of Franchise, is unconstitutional, because it would interfere with the Established Religion, † I have already answered; if further proofs were necessary, the history of England proves the assertion to be incorrect and unjust. Indeed the strongest proof that can be given, that it is perfectly constitutional to grant the Jews their rights, is the Naturalization Bill, which, as I stated in a former letter, passed both Houses of

† Made by Mr. Atty. Gen. at the trial—Hyman v. Geoghegan—for refusing his vote.

Parliament in 1752; and notwithstanding the numerous petitions against the measure, and the fermentations which it excited, the Government considering it just, it was persevered in and passed, and was generally supported by the Rev. Bench of Bishops. His Majesty gave his sanction to the Bill, which would not have been so hastily repealed, had it not been brought forward on the eve of a general Election, a period above all others when a Ministry is fearful of acting in opposition to the people. Thus the Bill was sacrificed to the clamours of the multitude, "who were led to believe that it would bring a heavy curse on the country, and that it contained more evils than Pandora's Box."

"THE debates of the day were characterized more for passion and declamation, than for patriotism and reason, and the feverish sensibility of the public mind produced such wild deliriums of fancy, that it was gravely predicted, that should the Bill pass, the country would be deluged with continental Jews, who were to multiply in such numbers, and engross so much wealth, that in time, their persons would be revered, and their fashions so much imitated, that Judaism would ultimately become the fashionable religion of the English! !"

ANOTHER strong proof in favour of the Jews, is the success of the Catholics in the House of Commons, who passed the Bill this year in their favour, and notwithstanding that the House of Lords has rejected their claim this Session, they will eventually succeed. The final triumph of the Catholics is nearly certain, and when they do succeed, it will be but *an act of*

justice, and a compliance with the *Law* which was intended to identify in one common interest, ALL CLASSES AND ALL RELIGIONS.

AMONG the many luminous and able speeches on that great occasion, that of Mr. Plunkett's in the House of Commons on the 28th February, deserves particular attention and praise. As a part of that speech is completely applicable to the Jews, and answers all objections that have been, or can possibly be made against them, I cannot do a greater service to the cause I wish success to, than to transcribe it. The learned Gentleman, after stating the nature of the Catholic claims, proceeds to state the principles upon which the British Constitution is founded. He says "the security upon which
 " the British Constitution reposed, was in the power
 " of selecting the worthy, and excluding the unworthy
 " from the high duties of the State. He spoke in
 " the hearing of sound and enlightened lawyers,
 " men versed in the history of the Constitution, and
 " he feared not their contradiction, when he broadly
 " asserted, that by the original and fundamental principle of the Constitution, the Sovereign possessed
 " the unlimited right of selecting *to all the offices of state* from *all his subjects*, for it was that power
 " that made it a monarchy; and that *every free born subject possessed the right of being selected*, for
 " it was that distinction which constituted it a free
 " monarchy—(*Hear, hear.*)—These are the privileges
 " of the subject—privileges not given by the Crown,
 " not given by the Legislature, not resulting from any
 " particular law, but flowing from those original sources from whence King, Legislature, and Law, have
 " been derived—he meant the pure and pristine

“fountains of the British Constitution—(*Cheers*)—
 “*The doctrine of exclusion, as applied to natural*
 “*born subjects*, was at variance with its principles;
 “those who maintained it, had neither the authority
 “of the wisdom or the experience of those illustrious
 “men, who, in the periods of its formation, traced the
 “development of its principles. Such were not the
 “opinions of Lord Bacon; and in support of that
 “part of his argument, he would beg the attention
 “of the House while he read an extract from the works
 “of that superior name. In commenting on the rights
 “of a natural born subject, he says, ‘The fourth and
 “last degree is a natural born subject, and he is com-
 “plete and entire: for in the law of England, there is
 “*nil ultra*; there is no more subdivision, no more
 “subtle distinction beyond those; and therein it seems
 “to me that the wisdom of our law is to be admired both
 “ways, both because it distinguisheth so far, and be-
 “cause it doth not distinguish farther; for I know
 “that other laws do admit more curious distinc-
 “tions of this privilege; for the Roman law, besides
 “*jus civitatis*, which amounts to naturalization, has
 “*jus suffragii*; for though a man were naturaliz-
 “ed to take lands of inheritance, yet he was not en-
 “abled to have a voice at the passing of laws, or at
 “the Election of officers; and yet further they have
 “*jus petitionis* or *jus honorum*; for although a man
 “had a voice, yet he was not capable of honor or office.
 “But these are the devices commonly of popular or
 “free states, which are jealous whom they take into
 “their number, and are unfit for monarchies. *But*
 “*by the law of England the subject that is natural*
 “*born, hath a competency or ability to all benefits*
 “*whatsoever*. These were the opinions of the great-

"est and ablest men, in all periods of our history. It
 "was the right of the natural born subject to be ca-
 "pable of being selected to all the trusts and offices of
 "the state. It was the right of the Sovereign to pos-
 "sess the power of that selection without exclusion.—
 "The capacity to select in the Sovereign, and to be
 "selected in the subject, was the distinction in this
 "country. Exclusion was a republican principle, of
 "modern growth, which invaded the prerogatives of
 "the Crown, and wrested the sceptre from the King's
 "hand. It was only to be recognized in those law-
 "less associations founded upon a principle of lawless
 "exclusion, where loyalty was dared to be made a
 "condition, depending on the continuance of that ex-
 "clusion which proscribed millions of the King's sub-
 "jects.—(*Hear, hear.*) Such, he repeated, were the
 "original fundamental principles of the British Con-
 "stitution."

It cannot be otherwise than praiseworthy, to take
 lessons from, and adopt the opinions of such a man as
 Mr. Plunkett. No colonial Legislature need hesitate
 in following the bright examples of *the British House
 of Commons*. Had the Jewish Vestry determined on
 an application to the Assembly, I think it would have
 met with success.

You have now before you the rise, progress, and, I
 may almost add, the failure of this attempt on the part
 of the Jews to establish their rights as men and citi-
 zens of the country which gave them birth. That
 they have failed in the attempt to lay their claims be-
 fore the Legislature of the Island, is to be attributed

to their *Vestry solely*. In my Letters, I have endeavoured to avoid attacking private characters ; I have always held in utter scorn and abhorrence, the slanderer who would give malignant publicity to private feelings. Yet you must allow that the public conduct of public men ought to be a subject for public opinion : I therefore consider the public conduct of the Jewish Vestry fairly liable to censure. I will only add, that the hearts of the Jewish Vestry seem dead to the feelings with which their brethren and constituents are animated. When more able and enlightened men are elected to seats in the Vestry, or when some philanthropic legislator, feeling for the unjustifiable degradation of his fellow-subjects, calls the attention of parliament to the subject, it will again be brought forward. That they may eventually succeed in establishing their claim, is the sincere wish of

My dear Sir,

Your respectful obedient Servant.

THE OATH.

AND be it further enacted by the authority aforesaid, that, upon any election for any member to serve in the Assembly of this Island, every freeholder, if required by a candidate, or any other person having a right to vote at such election, before he is admitted to poll, shall declare the nature of his freehold on which he is to vote, and take the following oath :—

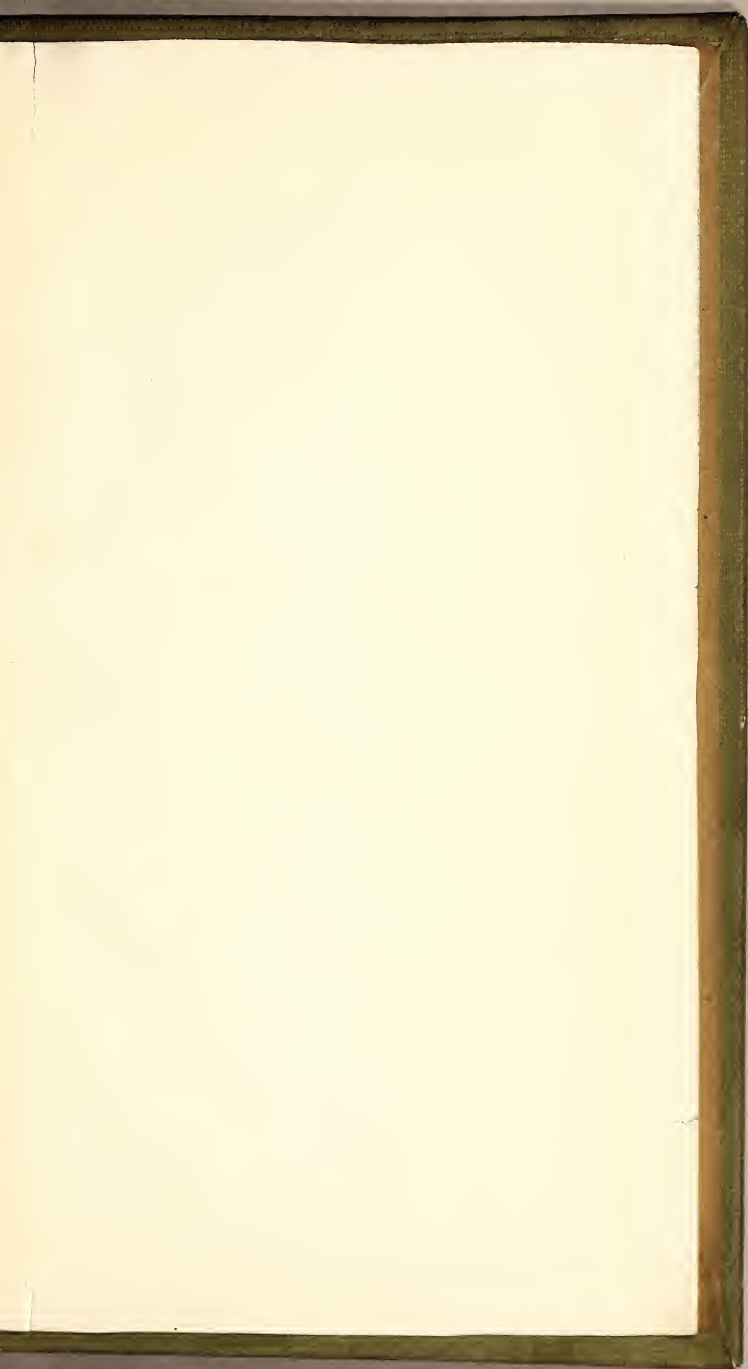
“I, A. B. do swear, that I am a freeholder in my own or my wife’s right, really and truly, in the parish of _____ by title recorded in the Secretary’s Office of this Island twelve calendar months before this election ; and that my said freehold consists of an house erected and built ; or of a pen consisting of at least ten acres of land, which hath a house thereon erected and built, and which said pen hath been opened and in pasturage for the time aforesaid ; or a plantation, of at least eight acres of land planted, with buildings thereon erected and built, with negro or other slaves thereon, my own or my wife’s absolute property, which hath been kept up as a plantation for the time aforesaid ; and that my said freehold hath been in my own or my tenant’s actual possession, or in the possession of those under whom, by descent, devise, or marriage, I claim, for twelve calendar months next before this election, of the true and real value of ten pounds *per annum* ; and that my said freehold hath been entered in the parish-books in my own name, or in the name of those under whom, by descent, devise, or marriage, I claim, three calendar months before this election ; and the whole thereof hath been, and is, subject and liable to be taxed and assessed by the justices and vestrymen of this parish for twelve calendar months, as aforesaid ; and that, without fraud or collusion, for [*I, or*] those under whom, by descent, devise, or marriage, I claim, have been in the actual receipt of the rents and profits of the said freehold, to the amount of ten pounds *per annum* at the least, for the said term of twelve calendar months next before this election ; and that my said freehold hath not been made or prepared, given or granted to me, fraudulently, or on purpose to qualify me to vote at elections, or in order to split or multiply votes at elections ; and that I have not before been polled at this election. So help me God.”

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AND if the freeholder declares his right of voting to be upon a rent-charge, or annual sum, arising as aforesaid, he shall then take the following oath :—

“ I, A. B. do swear, that I am a freeholder in my own or my wife's right, really and truly, in the parish of
by title recorded in the Secretary's Office of this Island twelve calendar months before this election ; and that my said freehold consists of a rent-charge, or annual sum, of the real and true value of fifty pounds *per annum*, arising, issuing, and payable, out of messuages, lands, or tenements, now in the possession of
or his or their under-tenants ; and that they
[there] now are, and have been, on the said messuages, lands, or tenements, out of which my said rent-charge or annual sum arises, negroes or stock which are, or have been, subject and liable to be taxed and assessed for twelve calendar months next before this election ; and that my said freehold hath been entered in the parish-book in my own name, three calendar months before this election ; and that, without fraud or collusion, I have been in the actual receipt of the rents and profits of the said freehold, to the amount of fifty pounds *per annum* at the least, for the said term of twelve calendar months next before this election ; and that my said freehold hath not been given or granted to me fraudulently, or on purpose to qualify me to vote at elections, or in order to split or multiply votes at this election ; and that I have not been polled before at this election.—
So help me God.”



HENRY N. YERGER, BOOKBINDER, PHILA.
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